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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 543]

PART 70—LOAN INTEREST RATES AND SECURITY

INCREASE IN INTEREST RATE; LOUISVILLE BANK FOR COOPERATIVES

Effective April 15, 1952, the rate of interest which may be charged by the Louisville Bank for Cooperatives, as specified in § 70.5 of Chapter I, Title 6, Code of Federal Regulations [1] is hereby changed to 2¾ per centum per annum.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

[SEAL] I. W. DUGGAN, *Governor.*

[F. R. Doc. 52-4199; Filed, Apr. 11, 1952; 9:05 a. m.]

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—Farm Housing Loans and Grants

[FHA Instruction 443.11]

PART 305—PROCESSING LOANS AND GRANTS

SUBPART A—COUNTY OFFICE ROUTINE

Subpart A in Part 305, Title 6, Code of Federal Regulations (14 F. R. 6554, 15 F. R. 6903) is amended to:

(a) Effect certain miscellaneous clarifying changes of language.

(b) Require the name of the applicant to be the same on all loan forms and to be shown exactly as it appears in the conveyance to the applicant of the security offered in his application.

(c) Provide for the use of a new form, Form FHA-444, "Farm Housing Fund Analysis."

(d) Provide for the use of Form FHA-188B, "Option for Purchase of Farm," when title insurance is to be employed.

(e) Specify in greater detail the procedure involving the use of options.

(f) Provide that in no case shall the sum of the payments called for during one year by a supplementary payment agreement be greater than the amount of a regular annual installment.

(g) Provide for the use of Form FHA-446, "Nondisturbance Agreement," in cases of section 502 and section 504 loans, as well as section 503 loans, made subject to an existing lien.

(h) Require a notice agreement where otherwise a prior mortgage holder could foreclose without advance notice to the junior mortgage holder.

(i) Require a subordination agreement where the prior mortgage permits large or indeterminate future advances.

(j) Require the period of title search to be in any event no shorter than the period provided by the statute of limitations for judgment liens.

(k) Permit certificates of title to be prepared by abstractors, abstracting companies, or County Recorders when authorized by law and an FHA State Instruction.

(l) Permit title reports, in lieu of title certificates, to be accepted when authorized by an FHA State Instruction.

(m) Require any abstract of title upon which a certificate of title or title report is based to be furnished along with the certificate or report.

(n) Provide that borrowed abstracts of title shall be returned at the time of loan closing but that all other title evidence, except copies of deeds and prior liens, shall be retained until the loan is paid off.

(o) Prescribe the title evidence to be furnished when Farm Housing funds are to be used for the purchase and removal of an existing building located on land not owned by the applicant.

(p) Specify in greater detail the limitations on the amount of the first installment on a section 502, a section 503, and a section 504 Farm Housing loan, respectively.

Subpart A as amended reads as follows:

(Continued on p. 3223)

[1] Originally republished in 17 F. R. 1493; amended in 17 F. R. 2587.

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Sec.
- 305.1 General.
- 305.2 Title evidence.
- 305.3 Action by State Field Representative.
- 305.4 Cancellation of loan or grant.
- 305.5 Closing of a loan.
- 305.6 Closing of a section 504 grant (without loan).

AUTHORITY: §§ 305.1 to 305.6 issued under sec. 510 (g), 63 Stat. 438; 42 U. S. C. 1480 (g). Statutes interpreted or applied are cited to text in parentheses.

§ 305.1 *General.* (a) The name of the applicant should, whenever practicable, be the same on all forms and be shown exactly as it appears on the deed, purchase contract, or other type of conveyance placing title to the property in the applicant.

(b) *Form FHA–438, "Farm Housing Voucher."* The applicant will sign the original of Form FHA–438 in the space provided, and his name will be typed below his signature. In certain States, the wife also will sign if the County Supervisor has been so instructed by the State Office. The applicant certifies on this form that he is the owner of a farm without adequate housing and other farm buildings; he is without sufficient resources to provide improvements on his own account, and he cannot secure credit from other sources on conditions he can reasonably fulfill.

(c) *Form FHA–441, "Farm Housing Promissory Note."* The date of the promissory note, the amount of the first installment, the year in which the first installment will become due, and the signatures of the applicant and his wife will not be entered until the time of loan closing. The remainder of the form, including typing the borrower's name and post-office address, and typing the names of the borrower and his wife below the space for their signatures, will be completed by the County Supervisor prior to the time the docket is submitted to the State Field Representative. The number of "succeeding installments" to be inserted will be one less than the number of years over which the loan is to be repaid. The amount of each of the "succeeding installments" to be inserted will be computed by multiplying the amount of the loan by the amortization factor for the number of years over which the loan is to be amortized. (In the States of Delaware, New Jersey, New York, and Pennsylvania, Form FHA–441A, "Bond," is used in place of Form FHA–441.)

(d) *Form FHA–444, "Farm Housing Fund Analysis."* In the case of a section 502 loan or a section 503 loan, the number of dwellings or other farm buildings shown on the "New" or "Repair" lines of Part I, Table A of Form FHA–444, will be the number of planned new structures, or the number of existing structures to be repaired, respectively. In the case of section 504 assistance, no "new" dwelling or "new" other farm buildings will be reported. Any new sanitary facility planned in connection with section 504 assistance will be shown on the dwelling "Repair" line. All dwelling and other farm building entries in connection with section 504 assistance will be on the "Repair" lines.

(e) *Form FHA–14, "Farm and Home Plan," and Form FHA–14C, "Long-Time Farm and Home Plan."* Forms FHA–14 and FHA–14C are required only in connection with a section 503 loan.

(f) *Forms FHA–188A or FHA–188B, "Option for Purchase of Farm."* In connection with a section 503 or a section 504 loan which involves the purchase of land, the option will be taken on Form FHA–188A or Form FHA–188B, as appropriate, prior to the time the services of the appraiser are requested.

(1) Upon notification by the State Field Representative of the approval of

a Farm Housing loan involving the purchase of land, the County Supervisor will prepare Form FHA–191, "Acceptance of Option" (Vendor to Furnish Abstract), or Form FHA–191B, "Acceptance of Option" (Vendor to Furnish Title Evidence), whichever is applicable, if the applicant intends to proceed with the loan as planned. The original of the option acceptance letter will be signed by the applicant as "Buyer," and by his wife if she is named in the option, and mailed to the seller.

(2) When the option acceptance letter is delivered to the seller, the County Supervisor will request him to furnish title evidence. If it is necessary that the seller submit a deposit for furnishing an abstract, a statement to that effect will be added to the option acceptance letter, and it will be the responsibility of the County Supervisor to see that necessary action is taken by the seller.

(g) *Form FHA–441B, "Farm Housing Supplementary Payment Agreement."* When repayment of a loan is dependent primarily upon wages or other off-farm income or farm income received at frequent intervals throughout the year, the County Supervisor, when he or the State Field Representative considers it advisable, may have the borrower execute Form FHA–441B. If the income is available uniformly throughout the year, monthly payments may be desirable. If the income is seasonable, payments for the months during which such income will be available may be provided.

(1) The sum of payments to be made during a year as specified on Form FHA–441B may be less than an annual installment of the loan. In such cases, the unpaid balance of the annual installment will be due on December 31. In no case will the sum of the payments be greater than a regular amortized installment.

(2) Form FHA–441B may be made to cover a limited number of years when this is considered desirable by the County Supervisor or the State Field Representative.

(3) The date of the agreement, the date of the promissory note, and the signatures of the applicant and his wife will not be entered until the time of loan closing. The remainder of the form will be completed prior to the time the docket is submitted to the State Field Representative. The original will be completed and signed by the applicant and his wife at the time of loan closing. A conformed copy of Form FHA–441B will be given to the borrower.

(4) If at any time it appears advisable to modify the existing Form FHA–441B, a new Form FHA–441B, upon approval of the State Field Representative, may be executed and substituted for the existing agreement.

(5) If at any time it appears advisable to terminate the existing Form FHA–441B, without substituting another Form FHA–441B, this may be accomplished by a letter from the State Field Representative to the County Supervisor.

(h) *Form FHA 441C, "Farm Housing Contribution Agreement."* Form FHA–441C will be prepared for each section 503 loan. The date of the agreement, the date of the note, and the signatures of the applicant and his wife, and the County Supervisor will not be entered until the time of loan closing. The remainder of the form will be completed prior to the time the docket is submitted to the State Field Representative. At the time of loan closing a signed conformed copy will be given to the borrower.

(i) *Form FHA–446, "Nondisturbance Agreement."* Form FHA–446 will be used in connection with any Farm Housing loan made subject to an existing lien when the State Field Representative considers, in view of the repayment terms of the prior lien, the increase in security which would accrue to the prior lien holder as a result of the Farm Housing loan, or objectionably onerous covenants in the prior lien, or for any other reason, that it would be unduly hazardous to make a junior mortgage loan without the additional protection which the nondisturbance agreement is designed to afford.

(1) For a section 502 loan and a section 504 loan, Form FHA–446 may be used to cover any number of years up to and including the amortization period of the Farm Housing loan. The period will be determined by negotiation with the existing lienholder, and should be as long as possible. If paragraph (1) of the form is not to be used in connection with a section 502 loan or a section 504 loan, the paragraph will be deleted.

(2) For a section 503 loan, Form FHA–446 will be prepared for a five-year period and the following statement will be added after the word "payable" in paragraph (1) of the form:

* * * *Provided*, That the Mortgagor shall pay on the matured indebtedness owed to the Mortgagee each year during the aforesaid period prior to the payment of the annual installments on the Farm Housing loan the maximum amount permitted by his net income as determined at the close of each year by the Farmers Home Administration by deducting from his gross income reasonable farm operating expenses, normal capital replacements, family living expenses, taxes and insurance, and other charges required by the Mortgagee's security instrument to be paid by the Mortgagor.

(3) If the existing lien in connection with any type of Farm Housing loan contains covenants and clauses which may unduly jeopardize the Government's security, such as future advance clauses, insecure clauses, forfeiture clauses, and so forth, which should be waived, such clauses will be set forth under paragraph (2) of Form FHA–446.

(4) When Form FHA–446 is to be used, the County Supervisor, upon advice of the State Field Representative, will contact the existing lien holder and discuss what period the agreement will cover and what clauses, if any, are to be waived. If the existing lien holder agrees to the waiver, Form FHA–446 will be prepared but will not be signed.

(5) Form FHA–446 will be reviewed by the representative of the Office of the Solicitor to determine whether the clauses of the existing lien, if any, which are to be waived, are properly set forth. The existing lien holder will be required to execute the original Form FHA–446 not later than the time of loan closing. When the loan is closed, one copy of Form FHA–446 will be given to the lien holder. The original signed copy will be recorded at the expense of the borrower at the time of loan closing, and will be retained by the Farmers Home Administration.

(j) *Notice and subordination agreements.* (1) In States where a prior mortgage holder may foreclose his mortgage without giving the Government actual notice of foreclosure, the closing of Farm Housing loans to be secured by junior liens will be conditioned on the prior mortgage holder's executing an agreement whereby the Government will be given actual notice of the commencement of foreclosure proceedings, as required by an appropriate State Instruction. If the recordation of such an agreement is necessary to bind assignees of the prior mortgage holder, the cost of recordation will be paid by the Farm Housing borrower.

(2) When a prior mortgage permits future advances for indeterminate amounts the State Field Representative may require as a condition to the closing of the loan that the prior mortgage holder subordinate his lien for future advances to the Farm Housing mortgage. The State Director, with the assistance of the representative of the Office of the Solicitor, will develop a suitable subordination agreement for such cases and will issue a State Instruction regarding its use. If the recordation of such an agreement is necessary to bind assignees of the prior mortgage holder, the cost of recordation will be paid by the Farm Housing borrower.

(Secs. 501, 502, 503, 504, 63 Stat. 432, 433, 434; 42 U. S. C. 1471, 1472, 1473, 1474)

§ 305.2 *Title evidence.* (a) Each applicant for a Farm Housing loan will be required to furnish a copy of his deed or purchase contract, if he acquired his farm by deed or purchase contract, and also copies of any liens existing on the property. Ordinarily, he will be required to furnish such documents so that they will be available in connection with the preparation of Form FHA–443A, "Report on Farm Housing Application." Any cost of obtaining them will be paid by the applicant. They will be returned to the applicant at the time of loan closing.

(b) Ordinarily, an applicant for a Farm Housing loan will be required to furnish at his own expense title evidence on his farm (but not on land to be acquired in the case of a section 503 loan or section 504 loan) when the loan has been recommended by the County Committee on Form FHA–439, "County Committee Recommendations." However, when authorized by a State Instruction, title evidence need not be furnished by the applicant until the proposed loan has been conditionally approved by the State Field Representative.

(c) The State Director, with the assistance of the representative of the Office of the Solicitor, will issue a State Instruction prescribing the form of acceptable title evidence for each State, and also will advise each County Supervisor as to those persons or firms that are approved for the preparation of title

evidence for Farm Housing loans. In approving persons or firms for the preparation of title evidence, the State Director will consider, among other factors, the ability to give prompt service, experience, financial responsibility, and the cost of service. All title evidence submitted with the exception of abstracts borrowed from prior lienholders and copies of prior liens and deeds should be retained in the State Office of the Farmers Home Administration until the Farm Housing loan has been paid. Except that the State Director, with the concurrence of the representative of the Office of the Solicitor, may increase the period over which records will be searched in the case of large loans, the State Instruction issued pursuant to this paragraph will require the applicant to furnish one, or any appropriate combination, of the following types of title evidence:

(1) A certificate of title or title report prepared by an attorney, or by an abstractor, abstracting company, or County Recorder when authorized by State law, based upon an examination of the public records or a current abstract of title, and setting forth the condition of the title of the applicant to the land, the manner in which title was acquired, and a listing of all unreleased mortgages, unpaid taxes, other encumbrances, pending suits, leases, easement, and any other outstanding interests. Where the certificate or report is based upon an abstract, the abstract will be submitted to the representative of the Office of the Solicitor for review and approval. Except as modified by the provisions of subdivisions (i) and (ii) of this subparagraph, the certificate or report will cover a period of 20 years or the period subsequent to the last title transfer of record, whichever is longer.

(i) Subject to the provisions of subdivision (ii) of this subparagraph, if there is a conveyance of the property from the United States in the chain of title the certificate or report need cover only the period subsequent to the deed of conveyance.

(ii) In any event, the period of search will not be shorter than the period prescribed by the Statute of Limitations for judgment liens.

(2) An abstract of title prepared by a person, firm, or company as provided in subparagraph (1) of this paragraph for cases of certificates of title or title reports. The abstract will show the manner in which title was acquired and will include conveyances, unreleased mortgages, unpaid taxes, other encumbrances, pending suits, leases, easements and any other oustanding interests. In case of a foreclosure, only the trustee's or sheriff's deed, with a notation of pending litigation, will be required. In case the applicant acquired title by inheritance, sufficient evidence will be required to show such acquisition of title.

(i) If the applicant has, or can borrow an abstract of title for his farm, he may submit it together with a continuation thereof. If a borrowed abstract is submitted, it will be returned to the County Supervisor with the closing instructions from the representative of the Office of the Solicitor, with the understanding that it is to be delivered to the applicant or the party from whom it was borrowed.

(3) A certificate of title, title opinion, or policy of insurance from a title insurance company meeting the same requirements as set forth in subparagraph (1) of this paragraph.

(4) All title evidence submitted with the exception of abstracts borrowed from prior lienholders and copies of prior liens and deeds should be retained in the State Office of the Farmers Home Administration until the Farm Housing loan has been repaid or discharged.

(d) The applicant will be advised that:

(1) Farm Housing loan funds may be used to pay the costs of obtaining title evidence and minor curative work unless the applicant has paid for the same from personal funds prior to the date of loan closing.

(2) Title evidence submitted must be acceptable to the representative of the Office of the Solicitor.

(3) If the title evidence shows unreleased liens of record which the applicant did not report previously, the applicant will be required to submit copies of such liens unless he reports that they have been paid. If the applicant states that such liens have been paid, the County Supervisor will require the applicant to have the liens released of record, and will make a notation on the title evidence as to when such liens were released.

(e) When a section 503 loan or a section 504 loan includes funds for enlargement purposes, the seller of the land to be acquired will be required to furnish title evidence in accordance with paragraph (c) of this section.

(f) When a Farm Housing loan includes funds for the purchase and removal of an existing building located on land not owned by the applicant, the vendor of such building will be required to furnish title evidence as prescribed in paragraph (c) of this section.

(g) In case of a section 504 grant (without loan), the County Supervisor will check the public records to verify that the applicant is the owner of the farm. No other title evidence will be required in case of a section 504 grant (without loan).

(h) Arrangements should be made, when possible, for the same person or firm which provided the preliminary title evidence to cooperate in closing the loan and to give a final opinion, certificate, or policy of title insurance, at the expense of the applicant (or in case of land to be acquired, at the expense of the seller). The final opinion, certificate, or policy will show, among other things, that the mortgage securing the Farm Housing loan has been properly filed for record (and, in case of an enlargement loan, that the deed has been properly executed and filed for record) and that there are no intervening liens or other instruments of record adversely affecting the title since the date of the preliminary examination.

(Sec. 502 (b), 63 Stat. 433; 42 U. S. C. 1472 (b))

§ 305.3 *Action by State Field Representative.* The State Field Representative is hereby authorized to approve or disapprove Farm Housing loans and grants in accordance with Farmers Home Administration procedures pertaining to Farm Housing assistance. The State Director also is authorized to approve or disapprove Farm Housing loans and grants in accordance with such procedures.

(Secs. 501, 510 (g), 63 Stat. 432, 438; 42 U. S. C. 1471, 1480 (g))

§ 305.4 *Cancellation of loan or grant.* (a) If the check for Farm Housing assistance has been deposited in the borrower's supervised bank account and no funds disbursed prior to the time the borrower requests cancellation, the borrower may cancel the loan or grant by remitting a check payable to the Treasurer of the United States and countersigned by the County Supervisor. No interest will be charged on a loan in a case of this kind unless the loan has been closed. When the original of Form FHA–441 stamped "Canceled" is received in the County Office, it will be returned to the borrower.

(b) If the loan has been closed and the borrower desires to return the loan funds, such funds will be returned in accordance with § 361.63 of this chapter.

(Secs. 501 (a), 510 (d), (g), 63 Stat. 432, 437, 438; 42 U. S. C. 1471 (a), 1480 (d), (g))

§ 305.5 *Closing of a loan.* (a) A Farm Housing loan is considered closed when the mortgage is filed for record. When the mortgage is recorded, a conformed copy will be delivered to the borrower.

(b) No Farm Housing loan will be closed until closing instructions, the original of Form FHA–441, "Promissory Note," the mortgage, and, in case of a section 503 loan, Form FHA–441C, "Farm Housing Contribution Agreement," have been received from the representative of the Office of the Solicitor.

(c) The borrower's check for the loan will be issued to the borrower in care of the County Supervisor, and when received and endorsed by the borrower, will be deposited in a supervised bank account.

(d) At the time of loan closing, the date of the note, the amount of the first installment, and the year in which the first installment will be due will be inserted on Form FHA–441.

(1) The date of the note will be the same as the date of the loan check.

(2) The amount of the first installment on each section 503 loan will be an amount equivalent to the interest that will accrue on the loan from the date of the note to the next succeeding December 31. The amount of the first installment on each section 502 or section 504 loan ordinarily will be an amount equivalent to at least the interest that will accrue on the loan from the date of the note to the next succeeding December 31. However, the borrower's probable ability to pay more than the interest should be taken into consideration. In no case will the amount of the first installment exceed the regular installment.

(3) The date of the first installment will be the first December 31 following the date of the check.

(4) The borrower and his wife will sign Form FHA–441 exactly as their signatures are typed on the form.

(e) Whenever Forms FHA–441B or FHA–441C are applicable, they will be completed at the time of loan closing and signed by the borrower and his wife exactly as their signatures appear on Form FHA–441.

(f) When there are insurable buildings on the farm, the County Supervisor, at the time of loan closing, will send to the State Office either a copy of the insurance policy submitted by the borrower, together with a properly executed mortgage clause, or an original and two copies of Form FHA–42, "Valuation Report for Insurance," with the borrower's check for the premium.

(Secs. 502, 503, 504, 63 Stat. 433, 434; 42 U. S. C. 1472, 1473, 1474)

§ 305.6 *Closing of a section 504 grant (without loan).* Closing instructions from the representative of the Office of the Solicitor are not required for grants. Upon receipt of a grant check from the Area Finance Office, the County Supervisor will have the applicant endorse the check for deposit in the borrower's supervised bank account. The grant will be considered closed when the funds are deposited in the borrower's supervised bank account.

(Sec. 504, 63 Stat. 434; 42 U. S. C. 1474)

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

MARCH 24, 1952.

Approved: April 9, 1952.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52–4164; Filed, Apr. 11, 1952; 8:53 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

PART 664—TOBACCO

SUBPART—1951 TOBACCO LOAN PROGRAM

The regulations formulated by Commodity Credit Corporation and Production and Marketing Administration for price support under the 1951 Tobacco Loan Program (16 F. R. 5419) are amended by revising the footnote to § 664.331 *1951 crop; Connecticut Valley Broadleaf, Type 51; advance schedule* (17 F. R. 1082) in order to include discounted advance rates for sorted Broadleaf tobacco of the Y group carrying not in excess of specified percentages of stem rot. The footnote as so revised reads as follows:

[1] The Cooperative Association through which the loans are made is authorized to deduct from the amount paid to growers not to exceed $1.50 per hundred pounds to apply against receiving and overhead costs to the Association of the loan operation. Tobacco can be placed under loan only by the original producer. No advance is authorized for tobacco graded W (unsafe keeping order), U (unsound), or N (nondescript). Tobacco graded Y1DAM or Y2DAM will be accepted at an advance rate of two cents per pound below the regular grade advance rate.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 2, 59 Stat. 506, secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 101, 401, 63 Stat. 1051, 1054; 7 U. S. C., 1312 note, 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 8th day of April 1952.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 52–4198; Filed, Apr. 11, 1952; 9:04 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1026 (Peanuts–51)–1, Amdt. 3]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1951 CROP

Basis and purpose. Under section 359 (g) of the Agricultural Adjustment Act of 1938, as amended, if the total acreage of peanuts picked or threshed on a farm in 1951 did not exceed the total acreage of peanuts picked or threshed on the farm in 1947 or in 1948, if no peanuts were picked or threshed on the farm in 1947, payment of the marketing penalty is not required on any excess peanuts produced on such farm which are delivered to or marketed through an agency designated by the Secretary of Agriculture. The amendment contained herein, establishes May 15, 1952, for Valencia type peanuts and July 31, 1952, for Virginia, Runner, and Spanish type peanuts as the final dates for farmers to deliver excess peanuts of such types, to an agency designated by the Secretary of Agriculture, at their oil value in lieu of paying the marketing penalty on such peanuts.

Prior to preparing this amendment, public notice of its formulation was published in the FEDERAL REGISTER (17 F. R. 2285) in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003). No data, views, or recommendations pertaining to the amendment were received within the time prescribed.

Section 729.253 of the Marketing Quota Regulations for the 1951 Crop of Peanuts (16 F. R. 5672) is hereby changed to read as follows:

§ 729.253 *Extent to which marketings from a farm are subject to penalty.* The marketing of peanuts in excess of the farm marketing quota for any farm shall be subject to a penalty at the rate prescribed in § 729.255 and the penalty shall be paid on each lot of peanuts marketed from the farm in an amount equal to the converted penalty rate multiplied by the number of pounds in the lot except that payment of the penalty will not be required on (1) any excess Valencia type peanuts produced on a farm eligible for an excess oil card, if, on or before May 15, 1952, such excess Valencia type peanuts are delivered to or marketed through an agency designated by the Secretary, and (2) any excess Virginia, Runner, or Spanish type peanuts produced on a farm eligible for an excess oil card, if on or before July 31, 1952, such excess peanuts are delivered to or marketed through an agency designated by the Secretary. The converted penalty rate shall be determined as follows:

(a) Determine the percent excess for the farm by dividing the excess acreage by the farm peanut acreage.

(b) Determine the converted penalty rate by multiplying the percent excess by the rate of penalty prescribed in § 729.255.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 359, 55 Stat. 88, as amended; 7 U. S. C. 1359)

Done at Washington, D. C., this 9th day of April 1952. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52–4201; Filed, Apr. 11, 1952; 9:05 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 159]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.573 *Grapefruit Regulation 159*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy

of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than April 14, 1952. Shipments of grapefruit grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 17, 1951, and will so continue until April 14, 1952; the recommendation and supporting information for continued regulation subsequent to April 13 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on April 8; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 14, 1952, and ending at 12:01 a. m., e. s. t., April 28, 1952, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(ii) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(iii) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iv) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any white seedless grapefruit, grown in Regulation Area I, which grade U. S. No. 2 Bright, U. S. No. 2, or U. S. No. 2 Russet, which are of a size larger than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any white seedless grapefruit, grown in Regulation Area II, which grade U. S. No. 2 Bright, U. S. No. 2, or U. S. No. 2 Russet, which are of a size larger than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used in this section "handler," "variety," "ship" and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack" and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Grapefruit (7 CFR 51.191).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of April 1952.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4215; Filed, Apr. 11, 1952; 8:45 a. m.]

[Orange Reg. 215]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.574 *Orange Regulation 215*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than April 14, 1952. Shipments of oranges, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since September 15, 1951, and will so continue until April 14, 1952; the recommendation and supporting information for continued regulation subsequent to April 13 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on April 8; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 14, 1952, and ending at 12:01 a. m., e. s. t., May 12, 1952, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container; or

(iv) Any oranges, except Temple oranges, grown in Regulation Area I or in Regulation Area II, which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack in a standard nailed box.

(2) During the period beginning at 12:01 a. m., e. s. t., April 14, 1952, and ending at 12:01 a. m., e. s. t., July 31, 1952, no handler shall ship:

(i) Any Temple oranges, grown in Regulation Area I or Regulation Area II, which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade.

(3) As used in this section, the term "handler," "ship," "Regulation Area I," "Regulation Area II," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No 3," "standard pack," "container" and "standard nailed box" shall each have the same meaning as when used in the revised United States Standards for Oranges (7 CFR 51.192).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of April 1952.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4213; Filed, Apr. 11, 1952; 8:45 a. m.]

[Tangerine Reg. 125]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.575 *Tangerine Regulation 125*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time, and good cause exists for making the provisions hereof effective not later than April 14, 1952. Shipments of tangerines, grown in the State of Florida, have been subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, since October 15, 1951, and will so continue until April 14, 1952; the recommendation and supporting information for continued regulation subsequent to April 13 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on April 8; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time thereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., April 14, 1952, and ending at 12:01 a. m., e. s. t., July 31, 1952, no handler shall ship:

(1) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2 Russet.

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 2 Russet" shall have the same meaning as when used in the United States Standards for Tangerines (7 CFR 51.416).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of April 1952.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4214; Filed, Apr. 11, 1952; 8:45 a. m.]

[Lemon Reg. 429, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restriction on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.536 (Lemon Regulation 429, 17 F. R. 2960) are hereby amended to read as follows:

(ii) District 2: 325 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of April 1952.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4250; Filed, Apr. 11, 1952; 9:35 a. m.]

[Lemon Reg. 430]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.537 *Lemon Regulation 430*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on April 9, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such

lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., April 13, 1952, and ending at 12:01 a. m., P. s. t., April 20, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 350 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 429 (17 F. R. 2960) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of April 1952.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-4251; Filed, Apr. 11, 1952; 9:35 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

[B. A. I. Order 373, Amdt. 4]

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), AND NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS): PROHIBITED AND RESTRICTED IMPORTATIONS

FOREIGN CURED OR COOKED MEATS FROM COUNTRIES WHERE RINDERPEST OR FOOT-AND-MOUTH DISEASE EXISTS

Pursuant to the authority conferred by section 2 of the act of February 2, 1903, as amended (32 Stat. 792, 45 Stat. 59; 21 U. S. C. 111), § 94.4 (a) (3) of the regulations relating to prohibitions and restrictions upon importations of certain animals and products because of rinderpest, foot-and-mouth disease, fowl pest (fowl plague), and Newcastle disease (avian pneumoencephalitis) (9 CFR 1950 Supp., 94.1 et seq., as amended, 16 F. R. 2955), is hereby amended to read as follows:

(3) The meats shall have been thoroughly cured.

This amendment deletes from subparagraph 3 the concluding words "by the application of dry salt or by soaking in a solution of salt," the intent of which was to require the curing of meat originating in countries in which foot-and-mouth disease or rinderpest exists by a long process, which would provide a time element that would aid in the destruction of the causative viruses of these diseases.

There exists in the normal channels of trade a large and rapidly increasing volume of cured meats which are processed by "quick-cure" methods. Section 94.4 (a) (4) of the regulations cited above confers, upon the Chief of the Bureau of Animal Industry of the Department of Agriculture, discretionary authority to require that cured meats offered for entry under § 94.4 be consigned under suitable restrictions to certain approved establishments for further processing. Because action under this authority assures safety from the standpoint of introduction of dangerous animal diseases, it is no longer necessary to specify the types of cure. It is believed sufficient to require only that the meats shall be thoroughly cured by whatever method is selected.

In order to avoid disrupting the ordinary channels of trade any more than necessary, it is essential that this amendment be made effective promptly. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause, that notice and public procedure on this amendment are contrary to the public interest, and good cause is found for the issuance of this amendment effective less than 30 days after publication. Such notice and procedure are not required by any other statute.

This amendment shall become effective immediately.

(Sec. 2, 32 Stat. 792, as amended, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 111)

Done at Washington, D. C., this 9th day of April 1952.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 52-4163; Filed, Apr. 11, 1952; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 79]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

COAL

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
500100	Coal, anthracite.
500200	Coal, bituminous, sub-bituminous, and lignite.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

This amendment shall become effective as of April 1, 1952.

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52-4194; Filed, Apr. 11, 1952; 9:02 a. m.]

[5th Gen. Rev. of Export Regs., Amdt. 80]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following revisions are made in commodity descriptions. The effect of these revisions is to remove commodities from the Positive List as noted below:

[Commodity lists: A—Import Certification. B-DL—Restrictions. C—Controlled Material]

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
025098	Hides and skins, raw, n. e. c. (include whole skins and parts thereof): Goat skins; kangaroo skins; kid skins; and wallaby skins[1]	No.	LEAT	100	RO
211720	Naval stores: Pine tar (formerly 211800)[2]	Lb.	AGCH	500	RO

[1] The above entry is substituted for the first entry presently on the Positive List under Schedule B No. 025098. The effect of this revision is to remove from the Positive List buffalo hides.

[2] The above entry is substituted for the present entry on the Positive List under Schedule B No. 211720. The effect of this revision is to remove from the Positive List wood tar and tar oil from wood, except pine tar.

2. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
	Naval stores:
211600	Gum rosin, except violin rosin.
211700	Wood rosins, including tall oil rosin (except B wood resin) (report B wood resin in 211740).
211800	Gum spirits of turpentine.
211810	Wood turpentine.
211820	Other terpene hydrocarbon naval stores (specify by name).
211740	Pitch of wood (formerly 211800).
	Plastics and resin materials:
	Synthetic resins in all unfinished forms, except laminated (report laminated plastics in 829010 and 829050):
	Ester gums (reaction products of rosin or modified rosins with glycerine or other alcohols):
825100	Other ester gums.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR 1948 Supp.)

This amendment shall become effective as of 12:01 a. m., April 11, 1952.

LORING K. MACY,
Director,
Office of International Trade.

[F. R. Doc. 52-4195; Filed, Apr. 11, 1952; 9:03 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 1950 Supp., 141) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 1950 Supp., 146; 16 F. R. 2471, 3647, 4963, 5395, 10847; 17 F. R. 150) are amended as indicated below.

1. Section 141.43 (j) is amended to read as follows:

§ 141.43 *l-Ephenamine penicillin G.*

* * *

(j) *Specific rotation.* Accurately weigh approximately 125 milligrams of the sample in a 25-milliliter glass-stoppered volumetric flask and dissolve in about 15 milliliters of water-acetone (1+1) at 20° C. Dilute to 25 milliliters with water-acetone (1+1) at 20° C. and mix thoroughly. Transfer the solution to a 200-millimeter tube, determine the angular rotation in a suitable polarimeter, using sodium light or a 5,893 Angstrom filter, and calculate the specific rotation. The determination must be completed within ½ hour from the time the solution is prepared.

2. Part 141 is amended by adding the following new sections:

§ 141.51 *Diethylaminoethyl ester penicillin G hydriodide*—(a) *Potency.* Proceed as directed in § 141.1, except prepare the sample as follows: Dissolve in 0.1 M potassium phosphate buffer (pH 7.8–8.0) to make a stock solution of 100 units per milliliter (estimated). Allow to stand at room temperature for not less than 1.5 hours and not more than 2 hours and then dilute an aliquot with 1-percent phosphate buffer (pH 6.0) to 1.0 unit (estimated), or proceed by the iodometric method described in § 141.5 (d) (1), except prepare the sample as follows: Dissolve a weighed sample (approximately 50 milligrams) in 20 milliliters of redistilled methanol. Further dilute this solution with 1-percent phosphate buffer (pH 6.0) to give a concentration of 2,000 units per milliliter.

(b) *Sterility.* Proceed as directed in § 141.2.

(c) *Pyrogens.* Proceed as directed in § 141.3, except use physiological salt solution as the diluent.

(d) *Toxicity.* Proceed as directed in § 141.4, except use physiological salt solution as the diluent, and inject 0.5 milliliter of a solution containing 2,000 units per milliliter.

(e) *Moisture.* Proceed as directed in § 141.5 (a).

(f) *pH.* Proceed as directed in § 141.5 (b), using a saturated aqueous solution prepared by adding 300 milligrams per milliliter.

(g) *Microscopical test for crystallinity.* Proceed as directed in § 141.5 (c).

(h) *Penicillin G content.* Accurately weigh approximately 50 milligrams of the sample and dissolve in 25-milliliter potassium phosphate buffer, pH 7.9 (one part of 0.1 M KH_2PO_4 and 11.66 parts of 0.1 M K_2HPO_4). Allow to stand at room temperature for not less than 1.5 hours and not more than 2 hours. Transfer a 5.0-milliliter aliquot to a 25-milliliter glass-stoppered test tube. Place the tube in an ice bath and add 10.0 milliliters of chloroform (previously washed with water). After cooling, adjust the pH of the aqueous phase to 2.0 by adding 0.5 milliliter of 1–4 H_3PO_4. Shake the tube thoroughly for 2 minutes, centrifuge, and withdraw the lower chloroform layer with the aid of a 10-milliliter hypodermic syringe and a 3-inch needle. Superficially dry the chloroform by filtering through a pledget of cotton, using a U-shaped funnel to reduce evaporation during filtration. Determine the optical density of the filtered chloroform solution in a 1-centimeter cell at 265 $m\mu$ and 280 $m\mu$, using a suitable spectrophotometer. Treat the working standard of sodium penicillin G in the same manner, using an accurately weighted sample of approximately 30 milligrams.

$$\text{Percent penicillin G} = \frac{(O.D.\ x \text{ at } 265m\mu - O.D.\ x \text{ at } 280m\mu)\ (\text{wt. } s)\ (100)}{(O.D.\ s \text{ at } 265m\mu - O.D.\ s \text{ at } 280m\mu)\ (\text{wt. } x)\ (0.635)}$$

where $O.D.$ = optical density,
x = diethylaminoethyl ester penicillin G hydriodide,
s = sodium penicillin G working standard.

§ 141.52 *Diethylaminoethyl ester penicillin G hydriodide for aqueous injection*—(a) *Potency.* If the bioassay method is used, proceed as directed under § 141.51 (a). If the iodometric method is used, proceed as directed under § 141.5 (d) (1). Its potency is satisfactory if it contains not less than 90 percent of the number of units it is represented to contain.

(b) *Sterility.* Use the entire contents of single-dose containers or the equivalent of approximately 300 milligrams (activity) from each multiple-dose container, and proceed as directed in § 141.2.

(c) *Moisture.* Proceed as directed in § 141.5 (a).

(d) *Pyrogens.* Proceed as directed in § 141.3, except use physiological salt solution as the diluent.

(e) *Toxicity.* Proceed as directed in § 141.4, except use physiological salt solution as the diluent, and inject 0.5 milliliter of a solution containing 2,000 units per milliliter.

(f) *pH.* Proceed as directed in § 141.5 (b), using a saturated aqueous solution prepared by adding 300 milligrams per milliliter.

3. Section 141.212 (a) is amended to read as follows:

§ 141.212 *Aureomycin vaginal suppositories*—(a) *Potency.* Proceed as directed in § 141.201 (a), except subparagraph (10) of that paragraph, and in lieu of the directions in subparagraphs (4) and (8) (iii) of § 141.201 (a) prepare the sample as follows: Place three suppositories into a separatory funnel containing approximately 50 milliliters of peroxide-free ether. Shake the suppositories and ether until homogeneous. Shake with a 50-milliliter portion of the buffer solution. Remove the buffer layer and repeat the extraction with three 50-milliliter quantities of buffer. Combine the extracts and centrifuge an aliquot at 2,000 r. p. m. for 5 minutes. Remove an aliquot of the supernatant and make the proper estimated dilutions in the buffer solution. The average potency of the suppository is satisfactory if it contains not less than 85 percent of the number of milligrams of aureomycin that it is represented to contain.

4a. In § 146.47 *Procaine penicillin for aqueous injection*, paragraph (b) *Packaging*, the third sentence is amended to read: "If it is the dry mixture of the drug, each such container shall contain 300,000 units, 600,000 units, 900,000 units, 1,200,000 units, 1,500,000 units, or 3,000,000 units, unless it is intended solely for veterinary use and it is conspicuously so labeled. Each such container may be packaged in combination with a container of a suitable aqueous diluent."

b. The fourth sentence of paragraph (b) is amended by inserting immediately after the figure "10 milliliters" the parenthetical phrase "(unless it is intended solely for veterinary use and is conspicuously so labeled),".

5. Section 146.64 (a) (7) is amended to read:

§ 146.64 *l-Ephenamine penicillin G (penicillin G l-ephenamine salt)*—(a) *Standards of identity, strength, quality, and purity.* * * *

(7) Its specific rotation in water-acetone (1+1) at 20° C. is +125° ±5°.

6. Part 146 is amended by adding the following new sections:

§ 146.74 *Diethylaminoethyl ester penicillin G hydriodide (penicillin G diethylaminoethyl ester hydriodide)*—(a) *Standards of identity, strength, quality, and purity.* Diethylaminoethyl ester penicillin G hydriodide is the crystalline diethylaminoethyl ester hydriodide salt of penicillin G. It contains not less than 85 percent by weight of β-diethylaminoethyl ester hydriodide salt of penicillin G. It is so purified and dried that:

(1) Its potency after hydrolysis is not less than 900 units per milligram.

(2) It is sterile.

(3) It is nonpyrogenic.

(4) It is nontoxic.

(5) Its moisture content is not more than 1 percent.

(6) The pH of a saturated aqueous solution is not less than 4.0 and not more than 6.5.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear, on its outside wrapper or container and the immediate container as hereinafter indicated, the following:

(1) The batch mark.

(2) The weight of the drug and the number of units in the immediate container.

(3) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified.

(4) The statement "For manufacturing use only."

(5) The statement "Caution: Federal law prohibits dispensing without prescription."

(d) *Request for certification, check tests and assays; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch, the weight of the drug and the number of units in each package, and (unless it was previously submitted) the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by the results of tests and assays made by him for potency, sterility, toxicity, pyrogens, moisture, pH, crystallinity, and the penicillin G content.

(2) Such person shall submit with his request an accurately representative sample of the batch, consisting of the following:

(i) For all tests except sterility; 10 packages.

(ii) For sterility testing; 10 packages.

Each such package shall contain approximately 300 milligrams taken from a different part of such batch, and each shall be packaged in accordance with the requirements of paragraph (b) of this section.

(3) In connection with contemplated requests for certification of batches of another drug in the manufacture of which it is to be used, the manufacturer of a batch which is to be so used may request the Commissioner to make check tests and assays on a sample of such batch, taken as prescribed by subparagraph (2) of this paragraph. From the information required by subparagraph (1) of this paragraph may be omitted results of tests and assays not required for the batch when used in such other drugs. The Commissioner shall report to such manufacturer results of such check tests and assays as are so requested.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each immediate container in the samples submitted in accordance with paragraph (d) (2) (i) and (3) of this section.

(2) If the Commissioner considers that investigations other than the examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.75 *Diethylaminoethyl ester penicillin G hydriodide for aqueous injection (penicillin G diethylaminoethyl ester hydriodide for aqueous injection)*—(a) *Standards of identity, strength, quality, and purity.* Diethylaminoethyl ester penicillin G hydriodide for aqueous injection is diethylaminoethyl ester penicillin G hydriodide and one or more suitable and harmless suspending or dispersing agents, with or without one or more suitable and harmless preservatives and buffer substances. It is so purified and dried that:

(1) It is sterile.

(2) Its moisture content is not more than 1 percent.

(3) It is nonpyrogenic.

(4) It is nontoxic.

(5) The pH of a saturated aqueous solution is not less than 5.0 and not more than 7.5.

The diethylaminoethyl ester penicillin G hydriodide used conforms to the requirements of § 146.74 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* In all cases the immediate containers shall be tight containers as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in immediate containers of colorless transparent glass, closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness. Each such container shall contain 500,000 units or multiples thereof up to and including 5,000,000 units, and each may be packaged in combination with a container of a suitable aqueous diluent.

(c) *Labeling.* Each package shall bear, on its label or labeling as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of units in the immediate container.

(iii) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified.

(iv) The statement "For intramuscular use only."

(2) On the outside wrapper or container, the statement "Caution: Federal law prohibits dispensing without prescription," unless it is intended solely for veterinary use and is conspicuously so labeled.

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warnings as required by section 502 (f) of the act, including:

(i) Clinical indications.

(ii) Dosage and administration.

(iii) The conditions under which suspension of the drug may be stored, and the statement "Sterile suspension may be kept at room temperature for 7 days or in refrigerator for 3 weeks without significant loss of potency."

(iv) Contraindications.

(v) Untoward effects that may accompany administration, including sensitization.

If two or more containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was pre-

viously submitted) the date on which the latest assay of the diethylaminoethyl ester penicillin G hydriodide used in making such batch was completed, the number of units in each of such packages, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section. If such batch, or any part thereof, is to be packaged with a solvent, such request shall be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (5) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; potency, sterility, moisture, pyrogens, toxicity, pH.

(ii) The diethylaminoethyl ester penicillin G hydriodide used in making the batch; potency, crystallinity, penicillin G content.

(3) Except as otherwise provided by subparagraph (5) of this paragraph, if such batch is packaged for dispensing such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch:

(*a*) For all tests except sterility; one immediate container for each 5,000 immediate containers in such batch, but in no case less than 10 or more than 17 immediate containers.

(*b*) For sterility testing; 10 immediate containers.

Such samples shall be collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The diethylaminoethyl ester penicillin G hydriodide used in making the batch; 3 packages containing approximately equal portions of not less than 500 milligrams each, packaged in accordance with the requirements of § 146.74 (b).

(iii) In case of an initial request for certification, each other ingredient used in making the batch; one package of each containing approximately 5 grams.

(iv) In the case of an initial request for the certification of a batch which is to be packaged in combination with an aqueous diluent which is not recognized by the U. S. P., or when any change is made in the composition of such diluent; 5 packages of the diluent included in the combination.

(4) If such batch is packaged for repacking, such person shall submit with his request a sample consisting of the following:

(i) For all tests except sterility; 10 packages.

(ii) For sterility testing; 10 packages. Each such package shall contain approximately 300 milligrams, taken from a different part of such batch, and each shall be packaged in accordance with the requirements of paragraph (b) of this section.

(5) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each immediate container in the samples submitted in accordance with paragraph (d) (3) (i) (*a*), (ii), (iii), (iv), and (4) (i) of this section.

(2) If the Commissioner considers that investigations, other than examination of such immediate containers, are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

7. In § 146.104 *Streptomycin tablets* * * *, the fourth sentence of paragraph (a) *Standards of identity etc.*, is amended to read: "Its moisture content is not more than 5 percent."

8. Section 146.204 (c) (1) (iv) is amended to read:

§ 146.204 *Aureomycin capsules (aureomycin hydrochloride capsules).* * * *

(c) *Labeling.* * * *

(1) * * *

(iv) The statement "Expiration date ----------," the blank being filled in with the date which is 36 months after the month during which the batch was certified.

9. In § 146.215 *Aureomycin with vasoconstrictor* * * *, paragraph (a) *Standards of identity etc.*, the third sentence is amended to read: "Such solution has a pH of not less than 2.75 and not more than 3.3."

10a. In § 146.401 *Bacitracin*, paragraph (b) *Packaging*, the second sentence is amended by inserting the parenthetical clause "(unless it is intended solely for veterinary use and is conspicuously so labeled)" between the words "not more than 50,000 units" and the words "and may be packaged".

b. Section 146.401 (c) (1) (iii) is amended to read:

(c) *Labeling.* (1) * * *

(iii) If it is intended for systemic medication, the statement "For intramuscular use only"; and, unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "for hospital use only";

c. Paragraph (c) is further amended by renumbering subparagraph (2) as (3) and inserting the following new subparagraph (2):

(2) On the outside wrapper or container:

(i) If it is intended for use by man, the statement "Caution: Federal law prohibits dispensing without prescription."

(ii) If it is intended solely for veterinary use, and is conspicuously so labeled, the statement "Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian."

This order, which provides for an improved method for determining the specific rotation for *l*-ephenamine penicillin G and a change in the standard for specific rotation of this drug, which is necessitated by the revised method for tests and assays and certification of a new ester of penicillin (diethylaminoethyl ester penicillin G hydriodide) and for an injection-type drug (diethylaminoethyl ester penicillin G hydriodide for aqueous injection) prepared from such ester; for an improved method for the assay for potency of aureomycin vaginal suppositories; for deletion of the limitation on the size of container for procaine penicillin for aqueous injection intended solely for veterinary use and conspicuously so labeled; for a change in the moisture limitation for streptomycin tablets from 3 percent to 4 percent; for an expiration date of 36 months for aureomycin contained in capsules made by the soft-gelatin process; for a minor change in the pH standard for solutions of aureomycin with vasoconstrictor from 3.1±0.2 to not less than 2.75 and not more than 3.3; and for certification of bacitracin packaged for injection use in veterinary medicine, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the changes set forth above.

Dated: April 8, 1952.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 52-4148; Filed, Apr. 11, 1952; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amendment 4 to Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

MODIFICATION OF FILING REQUIREMENTS FOR CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE SELLERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic

Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34, modifies the filing requirements under section 3 (b) of this supplementary regulation as they affect automotive and farm tractor repair service suppliers who used flat rate manuals or labor schedules to determine their ceiling prices during the base period, December 19, 1950 to January 25, 1951, inclusive. The principal amendatory change accomplished herein is the elimination of the requirement that the selection of a new edition or supplement of the flat rate manual or schedule used in the base period be filed with the OPS District Office as a supplement as required under section 18 of Ceiling Price Regulation 34.

The Director of Price Stabilization has been advised that the filing of the selection of a new edition of a flat rate manual or labor schedule, in the place of an edition of the same manual or schedule used during the base period, by sellers of automotive and farm tractor repair services may impose an undue burden upon such sellers.

To ease the burden, this amendment provides that such sellers who used one of these manuals or labor schedules in the base period may use a new edition of the same manual or labor schedule without the necessity of new filings. In such case, these sellers must, within ten days after they have elected to use such a new edition, post in their places of business a notice that they are now using a new edition of the same manual or labor schedule which they formerly used.

The changes in the filing requirements made by this amendment with respect to base period users of flat rate manuals and labor schedules have also necessitated an amendment to limit reference to supplementary filings in the appendices and the "Notices" issued thereunder.

In the formulation of this amendment there was consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

1. Section 3 (b) of Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended to read as follows:

(b) *Sellers who used a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you used a flat rate manual or labor schedule to determine your hourly time allowance for all or part of such services, you must continue to use the same manual or schedule now, for the same services, or substitute therefor a subsequent edition of any such manual or schedule which is approved by this supplementary regulation, for the same services. Within ten days after you substitute an approved subsequent edition of such manual or schedule you must post in your place of business a notice identifying the new edition of the manual or schedule to be used and indicating the jobs for which you propose to use the new edition. You may not, however, in any event increase the customers' hourly rate which you charged in the base period and reported to the Office of Price Stabilization under section 18 of Ceiling Price Regulation 34.

2. Paragraph numbered (3) of Appendices B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q, R and S, and paragraph numbered (4) of Appendices A and E of Supplementary Regulation 3, as amended, are amended to read as follows:

Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950 to January 25, 1951, inclusive.

3. A new paragraph numbered (4) is added to Appendices B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q, R and S, and a new paragraph numbered (5) is added to Appendices A and E to read as follows:

The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 4 to Supplementary Regulation 3 to Ceiling Price Regulation 34, as amended, is effective April 16, 1952.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4273; Filed, Apr. 11, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 42]

GCPR, SR 42—HIGH SPEED TOOL STEELS AND OTHER METAL PRODUCTS CONTAINING TUNGSTEN

INCLUSION OF SPECIAL ALLOYS CONTAINING TUNGSTEN

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 42 of the General Ceiling Price Regulation, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment clarifies Supplementary Regulation 42 to the General Ceiling Price Regulation to indicate that specialty alloys containing tungsten are included under the coverage of that Supplementary Regulation.

When Supplementary Regulation 42 to the General Ceiling Price Regulation was issued, specialty alloys containing tungsten were intended and believed to be, included in the definition of "High speed tool steels and specialty steels containing tungsten". While general trade practice has usually considered specialty alloys, containing tungsten, to be a "specialty steel", it has come to the attention of the Office of Price Stabilization that the latter phrase is considered to be ambiguous. In order to clearly indicate the agency's intent, this amendment adds the words "and specialty alloys" to the definition in Supplementary Regulation 42.

In the formulation of this regulation, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISIONS

Supplementary Regulation 42 to the General Ceiling Price Regulation is amended in the following respects:

1. Section 1 (a) (1) is amended to read as follows:

(1) High speed tool steels, specialty steels and specialty alloys containing tungsten.

2. Section 2 (a) is amended to read as follows:

(a) For high speed tool steels, specialty steels and specialty alloys containing tungsten, $0.015 for each 1 percent of tungsten content for each pound of product.

3. Section 5 (a) is amended to read as follows:

(a) "High speed tool steel, specialty steels and specialty alloys containing tungsten" includes any cast, rolled, or drawn steel products which have not been further fabricated and which contain tungsten and other alloys. It also includes such products in billet form or shapes produced from ingot by hammering or pressing.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective April 16, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4270; Filed, Apr. 11, 1952; 11:48 a. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 86]

GCPR, SR 86—Ceiling Prices of By-product Feeds of Wet Corn Milling Industry

CORN OIL CAKE, FLAKES AND MEAL

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 86 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATION

Information received by this office indicates the inadvisability of relating the ceiling prices of corn oil cake, corn oil flakes and corn oil meal to protein content. Members of the industry have represented that these by-product feeds are not generally sold by reference to a standard protein content. Furthermore, since these by-product feeds are used primarily in poultry fattening mashes because of their fat and water absorption characteristics and not because of protein content, such content is not an index of their value. In addition, the high degree of chaff and moisture content of the corn crop currently being used by producers makes it impossible for these persons to produce 20 per cent protein content products and, accordingly, they are required to calculate and grant varying discounts which bear no relationship to feed value or to customary pricing practices. This amendment, therefore, dispenses with a standard protein content for corn oil meal, corn oil flakes and corn oil cakes. Henceforth there will be a flat ceiling price for these feeds, and no discounts on a protein content basis are required.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended. Although consultation with trade association representatives was not practicable in the formulation of this amendment, there has been consultation with industry representatives, to the extent practicable, and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Table A of section 2 (a) (1) of Supplementary Regulation 86 to the General Ceiling Price Regulation is amended by deleting the standard protein content for corn oil cake, corn oil flakes and corn oil meal. As amended, Table A reads as follows:

TABLE A.—PRODUCERS' CEILING PRICES

Feed by-product	Standard protein content	Ceiling price per ton, bulk
	Percent	
Corn gluten meal	41	$81.00
Corn gluten feed	23	61.00
Corn gluten feed, sweetened	18	61.00
Corn oil cake, corn oil flakes, corn oil meal		64.00
All other feed by-products of the wet corn milling process		61.00

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment shall become effective April 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4272; Filed, Apr. 11, 1952; 4:00 p. m.]

[General Overriding Regulation 7, Amdt. 15]

GOR 7—Exemption of Certain Food and Restaurant Commodities

CANNED ARTICHOKE PRODUCTS AND PURE MAPLE SUGAR CANDY

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 15 to General Overriding Regulation 7 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 7 exempts from price control canned artichoke products whose vegetable ingredient consists predominately of artichoke or parts thereof, and pure maple sugar candy.

The artichoke commodities are luxury items. The quantity of canned artichoke products packed in the United States is negligible. No more than 50,000 cases will be produced this year in the United States and very small quantities were packed last year.

Maple sugar and maple syrup are exempted from the General Ceiling Price Regulation (GCPR) by section 14 (s) (1). Pure maple sugar candy is covered by Ceiling Price Regulation (CPR) 22. This candy is made by heating maple syrup to a certain temperature, allowing it to cool, shaping it and dipping it in maple syrup to form a protective coating, after which it is placed in molds of various designs and allowed to harden. Pure maple sugar candy thus contains no other ingredients than processed maple syrup and, except for the coating and molding process, is virtually the same product as maple sugar, already exempt from price control. The Office of Price Stabilization is informed that the annual sales of pure maple sugar candy in the United States do not exceed one-half million dollars.

The exemption of the commodities covered by this amendment will have little effect upon the cost of living, the cost of the defense effort, or the general current of industrial costs. Furthermore, any ceiling price restrictions imposed or maintained on sales of these commodities would involve an administrative burden out of all proportion to the importance of keeping such commodities under price control.

In the formulation of this amendment the Director of Price Stabilization has consulted with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

In the judgment of the Director, the exemptions provided for by this amendment will not defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 7 is amended by adding new sections to read as follows:

SEC. 16. *Canned artichoke products.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of canned artichoke products whose vegetable ingredient consists predominantly of artichokes or parts thereof.

SEC. 17. *Pure maple sugar candy*—(a) *Exemption.* No ceiling price regulation heretofore issued or which may hereafter be issued by the Office of Price Stabilization shall apply to sales of pure maple sugar candy.

(b) *Definition.* Pure maple sugar candy is candy made from pure maple syrup with no other ingredients added.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective April 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4271; Filed, Apr. 11, 1952; 11:48 a. m.]

[General Overriding Regulation 14, Amdt. 11]

GOR 14—Excepted and Suspended Services

RAILROAD PER DIEM, MILEAGE ALLOWANCE AND PROTECTIVE SERVICES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency general Order No. 2, this Amendment 11 to General Overriding Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from ceiling price regulation certain rates and charges made for the use of railroad cars and certain services incident thereto. The specific rates and charges are per diem payments, mileage allowances and charges for protective services incident to the use of certain special types of railroad cars.

In the case of per diem payments, such payments have been developed through many years of trial and represent compensation to the car owner for the use of its equipment. A most important feature of the per diem system is that it provides an incentive to accelerate car movements with a resultant maximum use of such equipment. In a similar manner, mileage allowance represents compensation to the car owner for the expenses of car ownership, including among other items, interest on the necessary investment, depreciations, insurances, taxes, and repairs. Finally, the charges for protective services represent an amount for preparing special types of railroad cars for use. Such services include, but are not limited to, refrigeration, icing, heating and ventilation and are usually rendered by the

owners of the cars in order to utilize their special facilities and trained personnel.

In view of the nature of these services, the exemption of the rates and charges therefor will not have any significant effect upon business costs, cost of living or the general level of prices, nor is this exemption likely to result in any diversion of scarce materials or manpower from more essential operations. The nature of the services mitigate against the likelihood of price abuses. Under the circumstances, continuation of controls of these services would involve administrative burdens out of proportion to the benefits to be gained thereby.

In the formulation of this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

In the judgment of the Director, the exemptions provided for by this amendment will not defeat or impair the price stabilization program or the objectives of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respects:

Paragraph (a) of section 3 is amended by adding at the end thereof the following:

(99) Per Diem, Mileage Allowance and Protective Services in conection with the use of railroad cars between railroads, and between railroads and private railroad car owners, who are participants in and operate under the Car Service Rules and Per Diem Rules of the Code of the Association of American Railroads, or are parties to and operate under the rules, regulations and charges of Mileage Tariff No. 7–N, L. C. Schuldt, Agent, I. C. C. No. 3924, or as hereafter amended or revised.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 11 to General Overriding Regulation 14 shall become effective April 11, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52–4267; Filed, Apr. 11, 1952; 11:47 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Directions 10 and 10A—Revocation]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 10—RESTRICTIONS ON STEEL SHIPMENTS AND ACCEPTANCE OF DELIVERIES

DIR. 10A—SHIPMENTS OF STEEL BY CONTROLLED MATERIALS PRODUCERS

REVOCATION

Directions 10 (17 F. R. 3104) and 10A (17 F. R. 3104) are hereby revoked. This revocation does not relieve any person of any obligation or liability incurred under Directions 10 or 10A to CMP Regulation No. 1, nor deprive any person of any rights received or accrued under said directions prior to the effective date of this revocation.

(Sec. 704, 64 Stat. 816, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective April 11, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

[F. R. Doc. 52–4253; Filed, Apr. 11, 1952; 9:43 a. m.]

Chapter XV—Federal Reserve System

[Regulation W, Amdt. 8]

REG. W—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

1. Effective April 8, 1952, Regulation W (formerly Part 222 of Title 12) is hereby amended in the following respect:

a. By changing "$50" to "$100" in the introductory sentence of section 9 (the Supplement to the regulation).

2. a. The above amendment to Regulation W is issued under the authority of section 5 (b) of the act of October 6, 1917, as amended, U. S. C., Title 50, App., sec. 5 (b); Executive Order No. 8843, dated August 9, 1941; and the "Defense Production Act of 1950", as amended, particularly section 601 thereof.

The purpose of the amendment is to remove from the prescribed minimum down payment and maximum loan value provisions of the regulation any listed article having a cash price of less than $100, exclusive of any applicable sales tax. This amendment does not affect the maximum maturities prescribed for listed articles in the regulation. Prior to this amendment the $100 figure above was $50.

b. The amendment set forth herein was adopted by the Board after consideration of all relevant matter, including the recommendations received from time to time in consultations with industry and trade association representatives. Special circumstances rendered impracticable further consultation with industry representatives, including trade association representatives in the formulation of the above amendment, especially in view of the relaxing and technical nature thereof; and, therefore, as authorized by section 709 of the Defense Production Act of 1950, the amendment has been issued without such further consultation. Section 709 of the Defense Production Act of 1950 provides that the functions exercised under such act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of section 3 thereof.

(Sec. 5, 40 Stat. 415, as amended, Title VI, 64 Stat. 812, as amended; 50 U. S. C. App. 5, App. Sup. 2131–2135. E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR 1941 Supp.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 52–4153; Filed, Apr. 11, 1952; 8:48 a. m.]

Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 38 to Schedule A]

[Rent Regulation 2, Amdt. 36 to Schedule A]

RR 1—HOUSING

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS

KANSAS

These amendments are issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective April 14, 1952, Rent Regulation 1 and Rent Regulation 2 are amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 9th day of April 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

State and name of defense-rental area	Class	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
Kansas				
(117) Lawrence-Olathe..	A	Douglas County; in Johnson County, the city of Olathe and the townships of Gardner, Lexington, McCamish, Monticello, Olathe, and Spring Hill; in Wyandotte County, the city of Bonner Springs, and Delaware Township.	Aug. 1, 1951	Apr. 14, 1952

[F. R. Doc. 52–4196; Filed, Apr. 11, 1952; 9:03 a. m.]

[Rent Regulation 3, Amdt. 54 to Schedule A]

RR 3—HOTELS

SCHEDULE A—DEFENSE-RENTAL AREAS

KANSAS

This amendment is issued as a result of joint certification(s) pertaining to critical defense housing areas by the Secretary of Defense and the Director of Defense Mobilization under section 204 (l) of the Housing and Rent Act of 1947, as amended, and a determination as to the relaxation of real estate construction credit controls under section 204 (m) of said act.

Effective April 14, 1952, Rent Regulation 3 is amended so that the item(s) of Schedule A read(s) as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 9th day of April 1952.

WILLIAM G. BARR,
Acting Director of Rent Stabilization.

Name of defense-rental area	State	County or counties in defense-rental area under regulation	Maximum rent date	Effective date of regulation
(117) Lawrence-Olathe..	Kansas....	Douglas County; in Johnson County, the city of Olathe and the townships of Gardner, Lexington, McCamish, Monticello, Olathe, and Spring Hill; in Wyandotte County, the city of Bonner Springs, and Delaware Township.	Aug. 1, 1951	Apr. 14, 1952

[F. R. Doc. 52-4197; Filed, Apr. 11, 1952; 9:04 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

NORTH BRANCH OF CHICAGO RIVER, CHICAGO, ILL.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.663 governing the operation of drawbridges across the Chicago River and its branches, Chicago, Illinois, is amended to provide for operation of bridges across the North Branch at and above North Halsted Street, including the North Branch Canal, after advance notice, as follows:

§ 203.663 *Chicago River, Ogden Slip, North Branch, North Branch Canal, South Branch, West Fork of South Branch, South Fork of South Branch, and West Arm of South Fork, Chicago, Ill.; bridges.* * * *

(c) (1) When a vessel signals for the opening of any bridge to which this section applies, the bridge tender shall immediately open the bridge except as otherwise provided in this section. Bridges across the North Branch at and above North Halsted Street and across the North Branch Canal shall be opened after at least one hour's advance notice has been given to the operator of any one of the bridges of the City of Chicago across the North Branch at North Halsted Street, Ogden Avenue, Division Street, North Avenue, or North Ashland Avenue, or across the North Branch Canal at North Halsted Street, Ogden Avenue, or Division Street: *Provided*, That any notice shall be sufficient if given to the operator of the bridge of the City of Chicago across the North Branch at Kinzie Street by an upbound vessel when passing that bridge.

* * * * *

[Regs., Mar. 21, 1952, ENGWO] (28 Stat. 362; 33 U. S. C. 499)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 52-4147; Filed, Apr. 11, 1952; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 155—FORMS OF THE POST OFFICE DEPARTMENT

RURAL CARRIER'S STATEMENT ENVELOPE

In Part 155—Forms of the Post Office Department, insert a new § 155.707 between §§ 155.706 and 155.800 in Subpart B to read as follows:

§ 155.707 *Form 4245; rural carrier's statement envelope.* This form is designed as an envelope for use by rural carriers in connection with financial postal transactions with their patrons and will be a convenience to both the carrier and the patrons in maintaining accurate accounts in daily transactions. A list of transactionable items appears on the outside of the envelope which can be checked to show the nature of transaction made together with any amount due the carrier, or patron.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 52-4154; Filed, Apr. 11, 1952; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 815]

ALASKA

WITHDRAWING PUBLIC LANDS FOR THE USE OF THE DEPARTMENT OF THE AIR FORCE FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force for military purposes:

Beginning at a point on the west boundary of area withdrawn by Public Land Order No. 731 in approximate latitude 62°56'12" N., longitude 156°01'55" W., from which the northwest corner thereof bears north ¾ of a mile, thence

West, 1 mile,

South, 1½ miles,

East, 1 mile to west boundary of area withdrawn by Public Land Order No. 731,

North, 1½ miles along said west boundary to point of beginning.

The area described contains approximately 960 acres.

It is intended that the lands described above shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,
Secretary of the Interior.

APRIL 8, 1952.

[F. R. Doc. 52-4150; Filed, Apr. 11, 1952; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 729]

PEANUTS

NOTICE OF INTENTION TO FORMULATE AND ISSUE REGULATIONS GOVERNING MARKETINGS, COLLECTION OF MARKETING PENALTIES, AND RECORDS AND REPORTS FOR 1952 CROP

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Sup. 1301, 1358–1359, 1372–1375; Pub. Law 285, 82d Cong., approved March 28, 1952), the Secretary of Agriculture is preparing to formulate marketing quota regulations governing the issuance of marketing cards, the identification of peanuts, the collection and refund of penalties, and the records and reports incident thereto on the marketing of peanuts for the 1952–53 marketing year. It is proposed that the regulations will be substantially the same as the 1951-crop regulations (16 F. R. 5672) except as provided below:

1. Public Law 285, 82d Congress, approved March 28, 1952, repealed subsections (f), (g), (h), and (i) of section 359 of the Agricultural Adjustment Act of 1938, as amended. In general, these subsections had permitted farmers to market excess peanuts produced on eligible farms without payment of the marketing penalty provided such peanuts were delivered to an agency of the Secretary of Agriculture at their value for crushing for oil and had also authorized farmers who so delivered their excess peanuts to receive price support with respect to the quota peanuts produced on the farm. In view of Public Law 285, the 1952 regulations will not permit farmers to market excess peanuts to designated agencies at their oil value in lieu of paying the marketing quota penalty.

2. It is proposed that two different types of marketing cards will be available for issuance to farm operators under the 1952 peanut marketing quota program as follows:

(a) A within quota marketing card authorizing the marketing of peanuts without penalty will be issued to the operator of each farm on which the harvested acreage of peanuts does not exceed the allotment for the farm.

(b) An excess penalty marketing card requiring payment of the penalty on the excess peanuts in each lot of peanuts marketed will be issued to the operator of each farm on which the harvested acreage of peanuts exceeds the allotment for the farm.

3. Form MQ-93-Peanuts (1952), Memorandum of Sale, will be used: (a) To record and report data with respect to all purchases of peanuts by buyers who are not purchasing the peanuts under the price support program; and (b) to record and report data with respect to peanuts shelled for or by producers.

4. Form MQ-94-Peanuts (1952), Record of Purchase, will be used to report and record data with respect to the inspection and marketing of quota peanuts purchased by buyers for price support purposes.

5. A buyer who resells any farmers stock peanuts of the 1952 crop shall keep as part of or in addition to the records maintained by him in the conduct of his business, such records as are necessary to enable him to certify in connection with any such resale of farmers stock peanuts that such peanuts were identified to him by valid marketing cards when purchased from farmers and that any penalty due was collected and remitted. The records maintained by the buyer with respect to such peanuts shall be available for examination upon request by a duly authorized representative of the State PMA Committee or the Director of the Fats and Oils Branch.

Prior to issuance of such regulations, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 10 days from the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 8th day of April 1952.

[SEAL] HAROLD K. HILL,
Acting Administrator.

[F. R. Doc. 52-4200; Filed, Apr. 11, 1952; 9:05 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 42]

IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PERFORMANCE DATA; OPERATIONS FROM SOD RUNWAY SURFACES

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules shall send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

(2) In the event the required runway length, as determined in this manner, is not available, enter Table (b) directly with the actual runway length available to obtain the allowable maximum takeoff weight. The use of this procedure will assure that two requirements are satisfied; that is, the existence of sufficient effective length of runway, as required by § 42.81, discounting the reduced coefficient of friction of sod; and the existence of sufficient runway length to accelerate to the required speed and then come to a stop within the total length of the runway, taking into account the reduced coefficient of friction of sod. In all cases, where the effective length of a runway has been determined, allowable gross weights shall be computed on the basis of effective length of runway, and the use of an assumed obstacle height will not be permitted.

(c) *Landing limitation data.* The landing distance limitations for landings on sod runway surfaces are contained in Tables (a) and (b) of this section. Table (a) gives the effective length of runway required for landing, when the effective length has been determined. Table (b) gives the actual length of runway required for landing when the effective length has not been determined, a standard obstacle height having been assumed in the approach area. For ease in identification, these tables have been numbered to correspond with the landing distance tables in §§ 42.80–1, 42.80–2, 42.80–3, 42.80–4 42.80–5, and 42.80–7, and are additionally identified by aircraft type.

§ 42.80–8 *Performance data; operations from sod runway surfaces (CAA rules which apply to §42.80)*—(a) *General.* (1) The performance data contained in §§ 42.80–1, 42.80–2, 42.80–3, 42.80–4, 42.80–5, and 42.80–7, have been computed for paved surfaces, insofar as the braking action of an aircraft is concerned. While it is true that the various types of pavements will normally produce varying coefficients of friction and these again will vary in day-to-day operations due to moisture, temperature, and other factors, the performance requirements are so designed that despite these variables, a reasonably adequate level of safety will result from the utilization of this data for operations from paved surfaces. On the other hand, lower coefficients of friction will result when operating from sod surfaces. These coefficients will also vary operationally due to many factors, including moisture content, depth and type of grass, etc. The net result, therefore, of operating from sod surfaces, utilizing the paved surface data contained in this part, would be a lower average level of safety. It is, therefore, necessary, in order to assure an adequate level of safety, when operations are conducted utilizing sod runways, to apply a correction factor to this date. Experiments have been conducted by NACA and the USAF to determine the coefficients of friction obtained on an "average" sod surface. As a result of evaluating this data, it has been determined that for operations from sod runways,

take-off distances must be 1/.85 times the distance required for take-offs from paved runways, an increase of approximately 17.6 percent. As the greater portion of this correction is necessary for stopping rather than for accelerating, this extra length may consist of runway beyond the point where the obstruction clearance line intersects the runway. The landing distances required for sod runways must be 15 percent greater than those required for paved runways.

(2) There is, in addition, a spectrum of runway surface types in between the paved runway and the sod runway. It is obviously not practical to attempt to categorize all of the surface types within this spectrum and to apply by regulation, specific correction factors, to the hard surface data, for operations from each of these runway types. Therefore, all runways, which are neither paved nor sod, will be considered as sod, and operations will be conducted therefrom at gross weights computed in the same manner as in the case of sod runways. However, an air carrier may request the Administrator to inspect a runway falling into this category for the purpose of determining a specific correction factor to be applied to the data computed for paved surfaces, which will assure an adequate level of safety. This correction factor will be expressed in the form of a maximum allowable take-off and landing weight on the individual operations specifications—airport.

(b) *Take-off limitation data.* (1) In computing the maximum allowable take-off weights for operations from sod runways, the take-off weight tables in §§ 42.80–1, 42.80–2, 42.80–3, 42.80–4, 42.80–5, and 42.80–7, shall be used. In a case where the effective length of the runway has not been determined, take-off tables (b) of these sections may be used directly in order to obtain the maximum allowable take-off weight. The correction factor which is included in these tables (approximately 17.6 percent) makes allowance for an assumed obstacle height and/or the reduced coefficient of friction which will require more runway length to stop after acceleration. In the case of a sod runway where the effective length has been determined, the maximum allowable take-off weight for a particular operation shall be obtained by utilizing the appropriate take-off tables contained in §§ 42.80–1, 42.80–2, 42.80–3, 42.80–4, 42.80–5 or 42.80–7, in the following manner: Enter Table (a) with the effective length of the runway. The weight obtained therefrom is the allowable take-off weight: *Provided*, That the actual length of the runway is equal to the runway length required by Table (b) for this gross weight.

DOUGLAS DC-3, G102, G202A, S1C3G, AND C47's, R4D's WITH COMPARABLE HORSEPOWER ENGINES

TABLE 4—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	22,000	V_{SR}	23,000	V_{SR}	24,000	V_{SR}	25,300	V_{SR}
	Distance in feet							
S. L.	2,830	86	3,015	88	3,210	90	3,390	92
1,000	2,900	86	3,080	88	3,275	90	3,495	92
2,000	2,965	86	3,155	88	3,350	90	3,540	92
3,000	3,040	86	3,235	88	3,425	90	3,630	92
4,000	3,115	86	3,320	88	3,520	90	3,715	92
5,000	3,210	86	3,410	88	3,605	90	3,805	92
6,000	3,300	86	3,505	88	3,705	90	3,910	92
7,000	3,410	86	3,610	88	3,810	90	4,015	92
8,000	3,500	86	3,725	88	3,935	90	4,135	92

[1] Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V_{SR}.

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	22,000	V_{SR}	23,000	V_{SR}	24,000	V_{SR}	25,000	V_{SR}
	Distance in feet							
S. L.	3,595	86	3,825	88	4,075	90	4,305	92
1,000	3,680	86	3,900	88	4,165	90	4,405	92
2,000	3,765	86	4,010	88	4,255	90	4,495	92
3,000	3,865	86	4,110	88	4,355	90	4,605	92
4,000	3,955	86	4,215	88	4,470	90	4,715	92
5,000	4,075	86	4,330	88	4,575	90	4,835	92
6,000	4,190	86	4,455	88	4,705	90	4,970	92
7,000	4,330	86	4,590	88	4,840	90	5,095	92
8,000	4,445	86	4,730	88	4,995	90	5,250	92

LOCKHEED 18 G202A AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	17,300	V_{SR}	18,000	V_{SR}	18,500	V_{SR}
	Distance in feet					
S. L.	4,270	96	4,380	97	4,470	99
1,000	4,400	96	4,495	97	4,595	99
2,000	4,520	96	4,625	97	4,720	99
3,000	4,645	96	4,750	97	4,855	99
4,000	4,770	96	4,875	97	4,985	99
5,000	4,875	96	5,000	97	5,115	99
6,000	5,025	96	5,130	97	5,255	99
7,000	5,150	96	5,260	97	5,395	99
8,000	5,285	96	5,395	97	5,530	99

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	17,300	V_{SR}	18,000	V_{SR}	18,500	V_{SR}
	Distance in feet					
S. L.	5,430	96	5,565	97	5,675	99
1,000	5,590	96	5,710	97	5,835	99
2,000	5,740	96	5,870	97	5,995	99
3,000	5,900	96	6,030	97	6,165	99
4,000	6,060	96	6,195	97	6,330	99
5,000	6,195	96	6,355	97	6,495	99
6,000	6,350	96	6,515	97	6,675	99
7,000	6,545	96	6,690	97	6,850	99
8,000	6,710	96	6,850	97	7,025	99

CURTISS MODEL C-46 AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (b) (12) with zero wind and zero gradient.

(1) Curtiss Model C-46 certificated for maximum weight of 45,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	40,000	V_{50}	42,000	V_{50}	44,000	V_{50}	45,000	V_{50}
	Distance in feet							
S. L.	4,255	99.0	4,435	101.5	4,635	104.0	4,725	105.0
1,000	4,370	99.0	4,555	101.5	4,760	104.0	4,855	105.0
2,000	4,485	99.0	4,680	101.5	4,890	104.0	4,985	105.0
3,000	4,660	99.0	4,805	101.5	5,015	104.0	5,120	105.0
4,000	4,730	99.0	4,935	101.5	5,145	104.0	5,250	105.0
5,000	4,845	99.0	5,060	101.5	5,285	104.0	5,380	105.0
6,000	4,980	99.0	5,190	101.5	5,415	104.0	5,520	105.0
7,000	5,095	99.0	5,330	101.5	5,570	104.0	5,670	105.0
8,000	5,235	99.0	5,470	101.5	5,715	104.0	5,820	105.0

(2) Curtiss Model C-46 certificated for maximum weight of 48,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	42,000	V_{50}	44,000	V_{50}	46,000	V_{50}	48,000	V_{50}
	Distance in feet							
S. L.	3,325	92.5	3,450	94.5	3,575	97.5	3,695	99.0
1,000	3,405	92.5	3,530	94.5	3,655	97.5	3,780	99.0
2,000	3,490	92.5	3,615	94.5	3,740	97.5	3,865	99.0
3,000	3,575	92.5	3,695	94.5	3,830	97.5	3,945	99.0
4,000	3,675	92.5	3,795	94.5	3,930	97.5	4,050	99.0
5,000	3,750	92.5	3,875	94.5	4,020	97.5	4,155	99.0
6,000	3,830	92.5	3,980	94.5	4,115	97.5	4,255	99.0
7,000	3,925	92.5	4,075	94.5	4,220	97.5	4,370	99.0
8,000	4,025	92.5	4,180	94.5	4,330	97.5	4,485	99.0

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

(1) Curtiss Model C-46 certificated for maximum weight of 45,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	40,000	V_{50}	42,000	V_{50}	44,000	V_{50}	45,000	V_{50}
	Distance in feet							
S. L.	5,415	99.0	5,645	101.5	5,900	104.0	6,015	105.0
1,000	5,560	99.0	5,795	101.5	6,060	104.0	6,175	105.0
2,000	5,710	99.0	5,955	101.5	6,220	104.0	6,350	105.0
3,000	5,930	99.0	6,120	101.5	6,385	104.0	6,515	105.0
4,000	6,015	99.0	6,280	101.5	6,550	104.0	6,680	105.0
5,000	6,170	99.0	6,440	101.5	6,720	104.0	6,850	105.0
6,000	6,335	99.0	6,605	101.5	6,895	104.0	7,025	105.0
7,000	6,485	99.0	6,785	101.5	7,090	104.0	7,215	105.0
8,000	6,630	99.0	6,960	101.5	7,275	104.0	7,405	105.0

[1] Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V_{50}.

(2) Curtiss C-46 certificated maximum weight of 48,000 pounds.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	42,000	V_{50}	44,000	V_{50}	46,000	V_{50}	48,000	V_{50}
	Distance in feet							
S. L.	4,230	92.5	4,395	94.5	4,555	97.5	4,705	99.0
1,000	4,330	92.5	4,490	94.5	4,650	97.5	4,805	99.0
2,000	4,440	92.5	4,600	94.5	4,755	97.5	4,915	99.0
3,000	4,555	92.5	4,705	94.5	4,875	97.5	5,020	99.0
4,000	4,665	92.5	4,830	94.5	4,990	97.5	5,150	99.0
5,000	4,775	92.5	4,935	94.5	5,120	97.5	5,290	99.0
6,000	4,875	92.5	5,065	94.5	5,240	97.5	5,415	99.0
7,000	4,995	92.5	5,185	94.5	5,370	97.5	5,560	99.0
8,000	5,125	92.5	5,320	94.5	5,510	97.5	5,720	99.0

CONVAIR MODEL 28-5ACF AND PBY-5A

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	23,000	V_{50}	24,000	V_{50}	25,000	V_{50}
	Distance in feet					
S. L.	3,935	86	4,105	88	4,265	90
1,000	4,040	86	4,215	88	4,370	90
2,000	4,145	86	4,330	88	4,485	90
3,000	4,255	86	4,370	88	4,610	90
4,000	4,360	86	4,585	88	4,725	90
5,000	4,470	86	4,665	88	4,845	90
6,000	4,570	86	4,775	88	4,970	90
7,000	4,680	86	4,880	88	5,090	90
8,000	4,785	86	4,990	88	5,205	90

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	23,000	V_{50}	24,000	V_{50}	25,000	V_{50}
	Distance in feet					
S. L.	5,035	86	5,225	88	5,400	90
1,000	5,145	86	5,355	88	5,560	90
2,000	5,275	86	5,510	88	5,710	90
3,000	5,415	86	5,650	88	5,870	90
4,000	5,530	86	5,790	88	6,015	90
5,000	5,685	86	5,935	88	6,170	90
6,000	5,830	86	6,075	88	6,325	90
7,000	5,955	86	6,215	88	6,475	90
8,000	6,090	86	6,355	88	6,625	90

CONVAIR MODEL 28-5ACF AND PBY-5A

TABLE 4—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	26,000	V_{S0}	27,000 [2]	V_{S0}	28,000 [3]	V_{S0}
	Distance in feet					
S. L.	4,405	92	4,560	93	4,715	95
1,000	4,530	92	4,690	93	4,855	95
2,000	4,660	92	4,830	93	4,995	95
3,000	4,785	92	4,960	93	5,140	95
4,000	4,915	92	5,095	93	5,285	95
5,000	5,045	92	5,235	93	5,430	95
6,000	5,170	92	5,365	93	5,565	95
7,000	5,300	92	5,505	93	5,715	95
8,000	5,430	92	5,635	93	5,855	95

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	26,000	V_{S0}	27,000 [2]	V_{S0}	28,000 [3]	V_{S0}
	Distance in feet					
S. L.	5,605	92	5,805	93	6,000	95
1,000	5,765	92	5,970	93	6,175	95
2,000	5,925	92	6,145	93	6,360	95
3,000	6,090	92	6,315	93	6,540	95
4,000	6,255	92	6,485	93	6,725	95
5,000	6,420	92	6,660	93	6,910	95
6,000	6,580	92	6,830	93	7,085	95
7,000	6,745	92	7,005	93	7,273	95
8,000	6,910	92	7,170	93	7,450	95

[1] Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V_{S0}.
[2] Maximum weight for PBY-5A landplane.
[3] Maximum weight for 28-5ACF.

DOUGLAS RB-18A AIRCRAFT

TABLE 2—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	19,000	V_{S0}	20,000	V_{S0}	21,000	V_{S0}	21,300	V_{S0}
	Distance in feet							
S. L.	3,280	86.0	3,575	88.5	3,875	90.5	3,960	91.0
1,000	3,370	86.0	3,680	88.5	3,990	90.5	4,075	91.0
2,000	3,460	86.0	3,785	88.5	4,100	90.5	4,185	91.0
3,000	3,550	86.0	3,885	88.5	4,210	90.5	4,300	91.0
4,000	3,640	86.0	3,990	88.5	4,320	90.5	4,410	91.0
5,000	3,730	86.0	4,095	88.5	4,430	90.5	4,525	91.0
6,000	3,825	86.0	4,200	88.5	[2]	[2]	[2]	[2]
7,000	3,915	86.0	4,295	88.5				
8,000	4,010	86.0	4,400	88.5				

[1] Steady approach speed through 50 feet height m. p. h. TIAS denoted by symbol V_{S0}.
[2] Limited by § 42.82

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.							
	19,000	V_{S0}	20,000	V_{S0}	21,000	V_{S0}	21,300	V_{S0}
	Distance in feet							
S. L.	4,175	86.0	4,555	88.5	4,935	90.5	5,050	91.0
1,000	4,290	86.0	4,680	88.5	5,070	90.5	5,185	91.0
2,000	4,410	86.0	4,820	88.5	5,220	90.5	5,325	91.0
3,000	4,515	86.0	4,945	88.5	5,355	90.5	5,475	91.0
4,000	4,630	86.0	5,075	88.5	5,490	90.5	5,610	91.0
5,000	4,750	86.0	5,215	88.5	5,635	90.5	5,755	91.0
6,000	4,865	86.0	5,340	88.5	[2]	[2]	[2]	[2]
7,000	4,990	86.0	5,465	88.5				
8,000	5,105	86.0	5,590	88.5				

BOEING MODEL S-307 AIRCRAFT

TABLE 3—LANDING LIMITATIONS (SOD RUNWAY SURFACES)

(a) "Effective length" of runway required when effective length is determined in accordance with § 42.1 (a) (12) with zero wind and zero gradient.

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	35,000	V_{S0}	50,000	V_{S0}	45,000	V_{S0}
	Distance in feet					
S. L.	3,325	93	3,960	99.5	4,385	105
1,000	3,615	93	4,070	99.5	4,500	105
2,000	3,710	93	4,175	99.5	4,615	105
3,000	3,805	93	4,285	99.5	4,740	105
4,000	3,900	93	4,395	99.5	4,860	105
5,000	4,000	93	4,515	99.5	4,990	105
6,000	4,110	93	4,640	99.5	5,130	105
7,000	4,220	93	4,760	99.5	5,265	105
8,000	4,335	93	4,900	99.5	5,420	105

(b) Actual length of runway required when effective length, considering obstacles, is not determined in accordance with § 42.1 (a) (12).

Standard altitude in feet	Airplane weight in pounds and approach speeds [1] in m. p. h.					
	35,000	V_{S0}	40,000	V_{S0}	45,000	V_{S0}
	Distance in feet					
S. L.	4,475	93	5,050	99.5	5,570	105
1,000	4,595	93	5,170	99.5	5,715	105
2,000	4,710	93	5,300	99.5	5,865	105
3,000	4,835	93	5,440	99.5	6,015	105
4,000	4,950	93	5,580	99.5	6,170	105
5,000	5,085	93	5,735	99.5	6,335	105
6,000	5,220	93	5,895	99.5	6,515	105
7,000	5,360	93	6,050	99.5	6,685	105
8,000	5,510	93	6,220	99.5	6,890	105

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010; 49 U. S. C. 551, 554)

[SEAL]

F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 52-4052; Filed, Apr. 10, 1952; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[426.85]

TARIFF CLASSIFICATION

NOTICE OF PROSPECTIVE CLASSIFICATION OF ELECTRICAL VACUUM TUBES, TYPE 5311, KNOWN AS MULTIPLIER PHOTO TUBES

APRIL 8, 1952.

It appears probable that electrical vacuum tubes, type 5311, known as multiplier photo tubes, are properly classifiable as parts of scientific instruments under paragraph 360, Tariff Act of 1930, at a rate of duty higher than that heretofore assessed under an established and uniform practice.

Pursuant to § 16.10a (d), Customs Regulations of 1943, as amended, notice is hereby given that the existing uniform practice of classifying such merchandise as articles suitable for producing electrical energy, wholly or in chief value of metal, not specially provided for, under paragraph 353, Tariff Act of 1930, is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct classification of this merchandise which are submitted to the Bureau of Customs, Washington 25, D. C., in writing. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 52-4190; Filed, Apr. 11, 1952; 9:02 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 5]

MISSOURI BASIN PROJECT, MEEKER CANAL, FRENCHMAN-CAMBRIDGE DIVISION

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

MARCH 15, 1952.

1. *Water Rental.* Irrigation water will be furnished, when available, on a rental basis on approved applications for temporary water service during the irrigation season 1952 (May 1 to October 15 inclusive) to the irrigable lands that were eligible to receive water from the Meeker Canal as defined by the Nebraska Department of Roads and Irrigation for the 1951 irrigation season as described below:

SIXTH PRINCIPAL MERIDIAN

T. 2 N., R. 29 W.:
Sec. 3, SE¼SW¼, SW¼SW¼, NW¼SW¼,
Sec. 4, NW¼SE¼, NE¼SE¼, SE¼SE¼, SW¼SE¼, SW¼SW¼,
Sec. 5, W½NE¼NW¼, S½NW¼, SE¼, SW¼, NW¼NW¼,
Sec. 6, SE¼, SW¼, E½NE¼NW¼, NE¼,
Sec. 7, NE¼, NW¼, SE¼SW¼, SW¼SW¼, NW¼SW¼, NE¼SW¼,
Sec. 8, NW¼NE¼, NE¼NE¼, NE¼NW¼, SE¼NW¼, SW¼NW¼, NW¼NW¼,
Sec. 9, NW¼NW¼,
Sec. 18, NW¼NW¼, SW¼NW¼.
T. 3 N., R. 29 W.:
Sec. 32, SW¼SW¼.
T. 2 N., R. 30 W.:
Sec. 1, SE¼SE¼, NW¼SE¼, SW¼SE¼, NE¼SW¼, SE¼SW¼,
Sec. 2, NE¼NW¼,
Sec. 11, SE¼SE¼, SW¼SE¼, NW¼SE¼, NE¼SE¼,
Sec. 12, NE¼SE¼, SE¼SE¼, NW¼SE¼, SW¼SE¼, NE¼SW¼, NW¼SW¼, SW¼SW¼, SE¼SW¼, NE¼NW¼, NW¼NE¼,
Sec. 13, NW¼NE¼, SW¼NE¼, NE¼NE¼, SE¼NE¼, SE¼NW¼, NE¼NW¼, NW¼NW¼,
Sec. 28, SW¼SE¼, SE¼SW¼, SW¼SW¼,
Sec. 29, Lot 8 (N½SE¼), NW¼SW¼,
Sec. 30, NW¼NW¼, NE¼NW¼, SE¼NW¼,
Sec. 33, NW¼NE¼, NE¼NE¼,
Sec. 34, N½SE¼, SE¼NE¼, SW¼NE¼, SE¼NW¼, SW¼NW¼,
Sec. 35, SE¼SW¼.
T. 3 N., R. 31 W.:
Sec. 23, SE¼NE¼,
Sec. 24, NE¼SW¼, SW¼SE¼, SE¼SE¼.

2. For each farm unit for which water is requested, a water rental charge of $3.50 per irrigable acre for each irrigable acre in the farm unit will be paid in advance of the delivery of water. Payment of this charge shall entitle the applicant to a pro rata share of all water available from the natural flow of the river, but not in excess of the amount nor the rate of diversion permitted under the laws of the State of Nebraska.

3. Water will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

4. The United States does not guarantee to deliver any fixed amount of water and will not be liable for any shortages of water or any failure to deliver due to any causes whatsoever.

5. Applications for water may be made by the landowner or by anyone who presents evidence satisfactory to the District Manager that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner to make a water rental application for such land.

6. Applications for water service and the payments required by this notice will be received at the office of the District Manager, Bureau of Reclamation, Indianola, Nebraska.

AVERY A. BATSON,
Regional Director.

[F. R. Doc. 52-4152; Filed, Apr. 11, 1952; 8:48 a. m.]

Office of the Secretary

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER[1] WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE AIR FORCE FOR MILITARY PURPOSES

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secertary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

APRIL 8, 1952.

[F. R. Doc. 52-4151; Filed, Apr. 11, 1952; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 128]

ARCHIBALD S. DUNLAP

ORDER DENYING LICENSE PRIVILEGES

In the matter of Archibald S. Dunlap, 342 West Seventy-first Street, New York, New York, respondent. Case No. 128.

This proceeding was begun by a letter of July 12, 1951, amended February 1, 1952, wherein the Office of International Trade charged Croton Trading Co., Inc. (hereinafter called Croton) and its officers, including respondent named herein who was vice president, with specific violations of section 6 of the act of July 2, 1940, (54 Stat. 714) and the Export Control Act of 1949 (63 Stat. 7) as amended, and the regulations issued thereunder. Croton and its officers were charged with having shipped 2,467 reels of barbed wire valued at $23,761.00 to Canada in 1948 under falsified shipper's export declarations and re-exported the wire from Canada to Cuba without a United States export license. Further,

[1] See Title 43, Chapter I, Appendix, PLO 815, *supra*.

they were charged with having applied for a large number of licenses in 1948 and 1949 to ship various steel and tinplate products to two fictitious companies in Caracas, Venezuela, although actually the shipments were intended to go to Venezuelan representatives of Croton, and two licensed shipments were so made.

Croton and William E. Bialick, its president, admitted the charges and consented to the entry of an order which denied to them validated export privileges for eighteen (18) months, the last twelve (12) months of which were to be inoperative, said order being issued on March 7, 1952. Respondent Dunlap did not consent to the entry of an order, although submitting a written answer in which he admitted the charges. The proceedings as against Dunlap were accordingly severed and in accordance with the provisions of section 382.5 of the export control regulations, an oral hearing was held respecting the charges against Dunlap before the Compliance Commissioner on March 13, 1952, at which the Investigation Staff, Office of International Trade, was represented by counsel and oral and documentary evidence received. Dunlap was not present nor was he represented by counsel although having been afforded the opportunity to be heard.

On the basis of the record obtained and the pleadings, all of which were carefully considered, the Compliance Commissioner submitted his report and recommendations dated March 31, 1952.

It appears from the record and the report of the Compliance Commissioner that at all the times relevant to the charges herein, respondent Dunlap was an officer and director of Croton, a domestic corporation engaged in general export business in New York City; that in November 1950 he resigned from said corporation as officer and director; that he has since engaged in various endeavors throughout the United States and is reported not to plan to re-enter export trade in the future. It also appears that between March and May 1948 Croton, acting by and through its officers, Dunlap and Bialick, exported to Canada a large quantity of barbed wire with the knowledge and intention that such barbed wire was to be re-exported from Canada to Cuba in order to evade the export control regulations which required that such exportation be made pursuant to validated export license, which Croton did not possess; such exportations were effected through the use of false statements and representations in shipper's export declarations that the ultimate consignees and purchasers were the parties in Canada named therein and that the country of ultimate destination was Canada.

It further appears from the record and report of the Compliance Commissioner that from June 1948 through April 1949, Croton, acting by and through its officers, Dunlap and Bialick, submitted and caused to be submitted to the Office of International Trade a number of applications for validated licenses to export various steel and tinplate products to two designated companies in Caracas, Venezuela, as the purported ultimate consignees and purchasers; that such corporate officers in each instance, in pretended compliance with the export control regulations submitted and caused to be submitted with each of the applications documents which were represented to be accepted orders from each of the alleged Venezuelan firms, when they knew that both such Venezuelan firms were non-existent, mere names conceived and used by them for the purpose of attempting to export such licensed commodities from the United States to representatives of Croton then in Venezuela. In reliance on the representations contained in the applications, the Office of International Trade issued two validated licenses, and exportations pursuant thereto were made to Venezuela. By such actions, Dunlap and Bialick knowingly failed to state the true nature of the export transactions and submitted documents containing false representations and certifications to the Office of International Trade.

It further appears from the record and the report of the Compliance Commissioner that such violations of the export control law and regulations were willfully made by Croton by and through its officers, Dunlap and Bialick, but are primarily chargeable to Dunlap who conceived, planned, and executed them. The Compliance Commissioner accordingly found that in view of Dunlap's admission of the charges, his record of dominance and control in the violative transactions and other relevant considerations that he should be held to a greater degree of accountability therefor than the other officer of said corporation, Bialick. The Compliance Commissioner further found that by his actions Dunlap evidenced a deliberate intention to violate the regulations and that he thereby demonstrated that his lack of integrity and ethical standards constituted a risk to the administration of export controls.

It is accordingly the finding of the Compliance Commissioner that Dunlap is guilty of the violations as charged and he has, therefore, recommended that Dunlap be denied export privileges for the duration of export controls, and that such denial apply to Dunlap and to any person, firm, corporation, or other business organization with which he may now or hereafter be related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States.

The report of the Compliance Commissioner, the findings and recommendations contained therein, as well as the record in this matter, have been carefully considered, and it appears that said report and findings are supported by the evidence and that such recommendations were fair and reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) Respondent Archibald S. Dunlap is hereby denied and declared ineligible to exercise the privileges of participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to any foreign destination, including Canada, for the duration of export controls. Such denial of export privileges is deemed to include and prohibit direct or indirect participation (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of validated export licenses or general licenses and any export control documents relating thereto, (c) in the receiving of any exportation from the United States exported pursuant to validated or general export licenses, and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States to any destination pursuant to any validated export licenses or general licenses.

(2) Such denial of export privileges shall apply not only to the said Archibald S. Dunlap but during said period to any person, firm, corporation, or other business organization with which he may now or hereafter be related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States.

(3) No person or business organization

(3) No person or business organization during said period shall knowingly (a) apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States of commodities to or for said Archibald S. Dunlap or those persons or business organizations covered in paragraph (2) hereinabove, or (b) order, receive, service, finance, or otherwise act as a party or as a representative of a party to any exportation of commodities from the United States to Canada or to any other destination, in such manner that the aforestated Archibald S. Dunlap or those persons and business organizations covered in paragraph (2) hereinabove will directly and indirectly obtain any benefit therefrom without prior disclosure of such facts to, and specific authorization of, the Office of International Trade.

Dated: April 7, 1952.

JOHN C. BORTON,
Assistant Director, for Export Supply.

[F. R. Doc. 52-4187; Filed, Apr. 11, 1952; 9:01 a. m.]

Office of the Secretary

[Order 1 Under E. O. 10340]

POSSESSION AND OPERATION OF PLANTS AND FACILITIES OF CERTAIN STEEL COMPANIES

APRIL 8, 1952.

By virtue of the authority vested in me by the President of the United States under an Executive Order dated April 8, 1952,[1] "Directing the Secretary of Commerce to take possession of and operate the plants and facilities of certain steel companies," I deem it necessary in the interests of national defense that possession be taken of the plants, facilities, and other properties of the companies named in the list specified in Appendix A attached hereto. I therefore

[1] Executive Order 10340, 17 F. R. 3139.

take possession effective at twelve o'clock midnight, eastern standard time, April 8, 1952, of such plants, facilities and other properties for operation by the United States in order to assure the continued availability of steel and steel products during the existing national emergency proclaimed on December 16, 1950. The term "plants, facilities and other properties" as used herein shall include but not be limited to any and all real and personal property, franchises, rights, funds and other assets used or useful in connection with the operation of such plants, facilities and other properties and in the distribution and sale of the products thereof, but shall exclude in every instance railroads whose employees are subject to the Railway Labor Act and any and all coal and metal mines.

The president of each company named in the list specified in Appendix A attached hereto (or the chief executive officer of such company) is hereby designated Operating Manager for the United States for such company until further notice, and is authorized and directed, subject to such supervision as I may prescribe, in accordance with such regulations and orders as are promulgated by me or pursuant to authority delegated by me, to operate the plants, facilities and other properties of such company and to do all things necessary and appropriate for the operation thereof and for the distribution and sale of the products thereof.

The managements, officers and employees, of the plants, facilities and other properties, possession of which is taken pursuant to said Executive order, are serving the Government of the United States and shall continue their functions, including the collection and disbursements of funds in the usual and ordinary course of business, in the names of their respective companies and by means of any instrumentalities used by such companies.

Existing rights and obligations of such companies shall remain in full force and effect, and there may be made in due course payments of dividends on stock, and of principal, interest, sinking funds, and all other distributions, upon bonds, debentures, and other obligations, and expenditures may be made for other ordinary corporate or business purposes.

No person shall interfere with the operation of the plants, facilities and other properties by the United States Government or the sale or distribution of the products thereof in accordance with this order.

The Operating Manager for the United States shall forthwith fly the flag of the United States upon all premises, and post in a conspicuous place upon the plants, facilities and other properties a notice of taking of possession by the United States.

Possession and operation of any plant, facility, or other property may be terminated by the Secretary of Commerce at such time as he may find that such possession and operation are no longer required in the interests of national defense.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

APPENDIX A

Mr. L. B. Worthington, president, United States Steel Supply Co., 208 South LaSalle Street, Chicago, Ill.

Mr. F. K. McDanel, president, Virginia Bridge Co., Roanoke, Va.

Mr. J. T. Whiting, president, Alan Wood Steel Co. and subsidiaries, Conshohocken, Pa.

Mr. Cyrus N. Johns, president, American Chain & Cable Co., 929 Connecticut Avenue, Bridgeport 2, Conn.

Mr. Weber W. Sebald, president, Armco Steel Corp., 703 Curtis Street, Middletown, Ohio.

Mr. R. S. Lynch, president, Atlantic Steel Co., P. O. Box 1714, Atlanta, Ga.

Mr. Luke E. Sawyer, president, Babcock & Wilcox Tube Company, Beaver Falls, Pa.

Mr. Roy C. Ingersoll, president, Borg-Warner Corp., 301 South Michigan Avenue, Chicago 4, Ill.

Mr. Ernest G. Jarvis, president, Continental Copper & Steel Industries, Inc., 345 Madison Avenue, New York 17, N. Y.

Mr. D. B. McLouth, president, McLouth Steel Corp., 300 South Livernois, Detroit 17, Mich.

Mr. Ralph K. Clifford, president, Continental Steel Corp., 1109 South Main Street, Kokomo, Ind.

Mr. F. R. S. Kaplan, president, Copperweld Steel Co., 39 Teilfeld Street, Glassport, Pa.

Mr. John M. Curley, president, Eastern Stainless Steel Corp., 122 Rolling Mill Avenue, Baltimore 3, Md.

Mr. K. D. Mann, president, Firth Sterling Steel & Carbide Corp., 3115 Forbes Street, Pittsburgh 13, Pa.

Mr. Marcus A. Follansbee, president, Follansbee Steel Corp., Third and Liberty Avenue, Pittsburgh 22, Pa.

Mr. John N. Marshall, president, Granite City Steel Company, Hamilton & Randolph Streets, Granite City, Illinois.

Mr. George R. Fink, president, Great Lakes Steel Corp., Tecumseh Road at Fink, Ecorse, Detroit 18, Mich.

Mr. M. J. Zivian, president, Detroit Steel Corp., 1025 South Oakwood Avenue, Detroit, Mich.

Mr. J. C. Cairns, president, Stanley Works, 195 Lake Street, New Britain, Conn.

Mr. George R. Fink, president, Hanna Furnace Corp., Walbridge Building, Buffalo, N. Y.

Mr. Hector Boiardi, president, Boiardi Steel Co., 400 Lower Market Street, Milton, Pa.

Mr. Robert B. Heppenstall, president, Heppenstall Co., 4624 Hatfield Street, Pittsburgh, Pa.

Mr. Clarence B. Randall, president, Inland Steel Co., 38 South Dearborn Street, Chicago 3, Ill.

Mr. C. L. Hardy, president, Joseph T. Ryerson & Son, Inc., Box 8000-A, Chicago 80, Ill.

Mr. E. L. Clair, president, Interlake Iron Corp., 1910 Union Commerce Building, Cleveland 14, Ohio.

Mr. Bentley S. Handwork, president, Joslyn Manufacturing & Supply Co., 20 North Wacker Drive, Chicago, Ill.

Mr. M. L. Joslyn, president, Joslyn Pacific Co., 5100 District Boulevard, Los Angeles 11, Calif.

Mr. W. W. Saxman, Jr., president, Latrobe Electric Steel Co., 1944 Haller Street, Latrobe, Pa.

Mr. E. M. Lavino, president, E. J. Lavino & Co., 1528 Walnut Street, Philadelphia, Pa.

Mr. Charles Lukens Huston, Jr., president, Lukens Steel Co., 1949 Gillen Street, Coatesville, Pa.

Mr. Frank S. Gibson, Jr., president, Newport Steel Corp., 1501 Beard Avenue, Detroit, Mich.

Mr. H. L. Goetz, president, Northwest Steel Rolling Mills, Inc., 4315 Ninth NW., Seattle, Wash.

Mr. Paul W. Dillon, president, Northwestern Steel & Wire Co., 1927 Griswold Street, Sterling, Ill.

Mr. Jos. Eastwood, Jr., president, Pacific States Steel Corp., Nathan Square Building, Oakland 12, Calif.

Mr. J. H. Hillman, Jr., chairman of board, Pittsburgh Coke & Chemical Co., 1970 Grant Building, Pittsburgh 19, Pa.

Mr. T. M. Evans, president, H. K. Porter Co., Inc., 1932 Oliver Building, Pittsburgh 22, Pa.

Mr. A. J. Krantz, president, Reeves Steel Manufacturing Co., 137 Iron Avenue, Dover, Ohio.

Mr. Charles R. Tyson, president, John A. Roebling's Sons Co., 640 South Broad Street, Trenton, N. J.

Mr. Nathaniel D. Devlin, president, Rotary Electric Steel Co., Box 90, Detroit 20, Mich.

Mr. Ralph L. Gray, president, Sheffield Steel Corp., Sheffield Station, Kansas City 3, Mo.

Mr. Wm. P. Snyder III, president, Shenango Penn Mold Co., 812 Oliver Building, Pittsburgh, Pa.

Mr. E. H. Taylor, president, Taylor Forge & Pipe Works, P. O. Box 485, Chicago 90, Ill.

Mr. Edward L. Stockdale, president, Universal Cyclops Steel Corp., Bridgeville, Pa.

Mr. R. C. McKenna, president, Vanadium Alloys Steel Co., Latrobe, Pa.

Mr. Stephen B. Minton, president, Vulcan Crucible Steel Co., 1 Main Street, Aliquippa, Pa.

Mr. John L. Neudoerfer, president, Wheeling Steel Corp., 1134 Market Street, Wheeling, W. Va.

Mr. B. C. Colcord, president, Woodward Iron Co., Woodward, Ala.

Mr. E. J. Hanley, president, Allegheny Ludlum Steel Corp., Oliver Building, Pittsburgh 22, Pa.

Mr. L. F. Rains, president, A. M. Byers Co., 717 Liberty Avenue, Pittsburgh 30, Pa.

[F. R. Doc. 52-4262;; Filed, Apr. 11, 1952; 11:12 a. m.]

TELEGRAM CONCERNING POSSESSION AND OPERATION OF CERTAIN STEEL COMPANIES

APRIL 11, 1952.

The attached telegram was sent on April 9, 1952, to each of the persons at the addresses as named and specified on the list attached to Order No. 1 under Executive Order 10340, dated April 8, 1952.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

TELEGRAM

President, ---------- Steel Company:

The President of the United States by virtue of the authority vested in him by the Constitution and laws of the United States and as Commander in Chief of the armed forces of the United States has directed me, as Secretary of Commerce, by an Executive Order dated April 8, 1952, to take possession of all properties of your company which I deem necessary in the interests of national defense. I deem it necessary in such interests to take possession of, and hereby do take possession effectiye twelve o'clock midnight, Eastern Standard Time, April 8, 1952, of all properties of your company exclusive of railroads whose employees are subject to the Railway Labor Act and any and all coal and metal mines. You are being called upon as a loyal and patriotic citizen to serve as and are appointed Operating Manager for the United States of the properties of your com-

pany, possession of which is hereby taken, to continue operation of them for the United States. Please make acknowledgment of this call to serve by return wire in substantially the following form:

"I acknowledge receipt of appointment as Operating Manager on behalf of the United States of properties of my company."

You are authorized and directed to continue operations for the United States. All officers and employees are directed forthwith to perform their usual functions and duties in connection with plant and office operation, and sale and distribution of products. Fly the flag of the United States and post notice of taking possession by the United States at all premises affected. In respect of all production and distribution, proceed in accordance with previously prevailing practices. Set up books in order to keep separate the period of Government operation. Advise all employees of the program. Be governed by applicable State and Federal laws and orders, regulations and directives which have been or may be issued thereunder. In respect of any properties which you feel are not, or will not be, involved in controversies referred to in the Executive order of the President, you may submit a recommendation that operation of such properties on behalf of the Government be terminated. Further instructions will follow.

Am mailing immediately copies of Executive order of the President, my Order No. 1 under that Order, and notice of taking possession.

If you are not acting as chief executive officer of the company, consider this telegram as directed to the officer who is so acting.

CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 52-4262; Filed, Apr. 11, 1952; 11:12 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1912]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 8, 1952.

Take notice that on March 10, 1952, El Paso Natural Gas Company (Applicant) a Delaware corporation of El Paso, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of a metering station on Applicant's Gallup pipeline near Gallup, New Mexico. Applicant proposes by this facility to sell and deliver natural gas to the Town of Gallup for use in its municipally owned electric power plant.

The cost of this facility is estimated to be $11,000 of which the Town of Gallup will pay $2,500 and the remaining $8,500 will be paid from general funds of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of April 1952. The Application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4181; Filed, Apr. 11, 1952; 9:00 a. m.]

[Docket No. G-1925]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF CONTINUANCE OF HEARING

APRIL 8, 1952.

Upon consideration of the motion filed by East Tennessee Natural Gas Company for postponement of hearing now scheduled for May 5, 1952, in the above-designated matter;

Notice is hereby given that said hearing be and it is hereby continued to May 7, 1952, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4183; Filed, Apr. 11, 1952; 9:01 a. m.]

[Docket No. IT-6078]

NIAGARA MOHAWK POWER CORP.

NOTICE OF APPLICATION

APRIL 8, 1952.

Notice is hereby given that the Niagara Mohawk Power Corporation has filed an application pursuant to section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to increase the amount of electric energy previously authorized to be exported across the international boundary between the United States and Canada for use in resale by the Shawinigan Water and Power Company in the St. Regis Indian Reservation, Province of Quebec, Canada, and surrounding area to an amount not in excess of 500,000 kilowatt-hours per year at a rate not to exceed 150 kilowatts.

The requested authorization would also supersede the authorization granted in this docket by order of the Commission entered March 29, 1950.

Any person desiring to be heard or to make any protest with reference to said application should on, or before, April 25, 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-4182; Filed, Apr. 11, 1952; 9:00 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

NOTICE OF HOUSING PROGRAMS AND RELAXATION OF CREDIT CONTROLS IN CRITICAL DEFENSE HOUSING AREAS

Appearing below are amendments to previously published defense housing programs and also additional new defense housing programs and supplemental programs to area programs previously published. These amendments are published herein as amendments to Part II (Defense Housing Programs) of the Notice of Housing Programs and Relaxation of Credit Controls in Critical Defense Housing Areas initially published in the FEDERAL REGISTER on October 27, 1951 (16 F. R. 10962).

With respect to the needed housing set out in the additional new defense housing programs and the supplemental programs to area programs previously published, the aids authorized by the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st sess.) including a new and more liberal form of Federal Housing Administration mortgage insurance under Title IX of the National Housing Act, as amended, are available. The approval of an application under Housing and Home Finance Agency Regulation CR 3, or in the areas affected by the Savannah River, Paducah (Ky.), and Idaho Reactor Testing Station installations of the Atomic Energy Commission, the approval of an application under Regulation CR 2 is required as a condition to the approval by the Federal Housing Administration of an application for mortgage insurance under the provisions of Title IX of the National Housing Act, as amended. The requirements and restrictions imposed by or pursuant to CR 3 or CR 2 are in addition to all applicable requirements, conditions and restrictions imposed by or pursuant to said Title IX.

With respect to any application approved under HHFA Regulation CR 3 or CR 2 for an exception from residential real estate credit restrictions as being within the additional defense housing programs appearing below, residential real estate credit restrictions are suspended.

For the purpose of additional defense housing programs appearing below preference will be given to locations (within the geographical boundaries of the critical defense housing areas) in established communities nearest the defense activities, with consideration to be given to the availability of adequate community facilities and services.

AMENDMENTS TO DEFENSE HOUSING PROGRAMS PREVIOUSLY PUBLISHED

Amendment 1. The critical defense housing area in the defense housing program numbered 1 and 1A and designated as AEC, Savannah River Installation, S. C., and Ga., published at 16 F. R. 10962 (October 27, 1951) and 17 F. R. 1864 (March 1, 1952), respectively, is amended to read as follows:

1. Savannah River, Georgia-South Carolina, Area. (Aiken, Allendale and Barnwell Counties in South Carolina; Richmond County, Columbia County, and McDuffie County, and District 81—Wrens (including Wrens Town) in Jefferson County, in Georgia.)

Amendment 2. The critical defense housing area in the defense housing program numbered 32 and designated as Barstow, California, published at 16 F. R. 10962 (October 27, 1951), is amended to read as follows:

32. Barstow, California, Area. (Barstow Township and the area within the United States Marine Corps Depot Military Reservation, all in San Bernardino County, California.)

Amendment 3. The critical defense housing area in the defense housing program numbered 82 and designated as New London, Connecticut, published at 17 F. R. 740 (January 24, 1952), is amended to read as follows:

82. New London, Connecticut, Area. (The towns of East Lyme, Groton, Ledyard, Lyme, Montville, New London, North Stonington, Norwich, Old Lyme, Salem, Stonington and Waterford in New London County.)

Amendment 4. The critical defense housing area in the defense housing program numbered 106 and designated as Umatilla-Hermiston, Oregon, published at 17 F. R. 740 (January 24, 1952), is amended to read as follows:

106. Umatilla-Hermiston, Oregon, Area. (Precincts 28, 29, 30, 31, 32, 32-A, 33, 33-A, 34, 37, 38, and 41, including the Cities of Stanfield, Hermiston, Umatilla and Echo, all in Umatilla County.)

Amendment 5. Area Program numbered 113, appearing in the FEDERAL REGISTER of March 1, 1952 (17 F. R. 1864) is amended by changing the number of 2 bedroom rental units at a rental not to exceed $65.00 from 75 to 50, and the number of 2 bedroom units for sale from 15 to 40 with 25 of such sales units at a sale price not to exceed $9,000 and 15 of such sales units at a sale price not to exceed $10,000. As thus amended, area program 113 provides for 50 sales units and 50 rental units. The total of all types of dwelling units, however, remains the same as in the originally published program, namely 100 dwelling units.

AMENDMENT ADDING NEW DEFENSE HOUSING PROGRAMS AND SUPPLEMENTAL DEFENSE HOUSING PROGRAMS

124. Victorville, California.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	20	$55.00			20
2 bedrooms	35	65.00	25	$8,500	60
3 or more bedrooms	10	75.00	40	9,500	50
Total	65		65		130

LIST OF DEFENSE ACTIVITIES

George Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Victor Township, including the Town of Victorville, and Oro Grande Township, all in San Bernardino County.

144. Rockdale, Texas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	[1] 40	$67.50	[2] 50	$8,000	90
3 or more bedrooms	20	77.50	30	9,000	50
Total	60		80		140

[1] 10 of these units at a rental not to exceed $52.50.
[2] 10 of these units at a sales price not to exceed $6,750.

LIST OF DEFENSE ACTIVITIES

Aluminum Company of America.

CRITICAL DEFENSE HOUSING AREA

Milam County.

145. Parsons, Kansas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	60	$70.00	50	$8,000	110
3 or more bedrooms	15	80.00	25	9,000	40
Total	75		75		150

LIST OF DEFENSE ACTIVITIES

Kansas Ordnance Plant.

CRITICAL DEFENSE HOUSING AREA

Labette County.

146. Arlington, Washington.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms					
3 or more bedrooms			20	$8,250	20
Total			20		20

LIST OF DEFENSE ACTIVITIES

U. S. Naval Radio Station.

CRITICAL DEFENSE HOUSING AREA

Census Divisions 2 and 3 in Snohomish County, Washington. The principal community in the area is Arlington, Washington.

147. Charleston, South Carolina.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	150	$60.00			150
3 or more bedrooms	50	70.00			50
Total	200				200

LIST OF DEFENSE ACTIVITIES

Charleston Air Force Base.
U. S. Naval Base and related Naval Installations.
U. S. Army Ordnance Depot.
U. S. Army Boat Storage Basin.

CRITICAL DEFENSE HOUSING AREA

Townships of Christ Church, First St. James Goose Creek, Folly Island, James Island, Johns Island, St. Andrews, St. Michael and St. Philip, St. Paul, Second St. James Goose Creek, Sullivans Island and Wadmalow, the City of Charleston and the Towns of Mount Pleasant, Hollywood, Meggett, Ravenel and Lincolnville in Charleston County; the Townships of St. Denniss and St. Thomas, and Second St. James Goose Creek in Berkeley County; the Townships of Collins and Dorchester, and the Town of Summerville and the unincorporated community of Pinehurst-Sheppard Park in Dorchester County.

148. Orlando, Florida.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	50	$75.00	35	$8,000	85
3 or more bedrooms	70	85.00	45	9,000	115
Total	120		80		200

LIST OF DEFENSE ACTIVITIES

Orlando Air Force Base.
Pinecastle Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Orange County and Commissioners Districts 2 and 3 in Osceola County, including the City of Kissimmee.

149. Bedford, Massachusetts.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	[1] 50	$65.00			50
2 bedrooms	[2] 190	75.00	70	$9,500	260
3 or more bedrooms	[3] 60	85.00	30	10,500	90
Total	300		100		400

[1] 20 of these units at a rental not to exceed $55.
[2] 70 of these units at a rental not to exceed $65.
[3] 10 of these units at a rental not to exceed $75.

LIST OF DEFENSE ACTIVITIES

Air Force Cambridge Research Center.

CRITICAL DEFENSE HOUSING AREA

Towns of Bedford, Billerica, Burlington, Carlisle, Concord, Lexington and Lincoln; and the Cities of Waltham and Woburn, all in Middlesex County.

150. Del Rio, Texas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	[1] 125	$67.50	25	$8,250	150
3 or more bedrooms	35	77.50	15	9,000	50
Total	160		40		200

[1] 75 of these units at a rental not to exceed $60.

LIST OF DEFENSE ACTIVITIES

Laughlin Field Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Justice Precinct One in Val Verde County.

NOTE: Program No. 151 has been reserved for the Cobalt, Idaho, Area. When a program is developed and prepared for this area, such program will be published in the FEDERAL REGISTER as an additional new defense housing program.

152. Newport, Rhode Island.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	200	$60.00			200
2 bedrooms	[1] 540	75.00	60	$9,500	600
3 or more bedrooms	[2] 160	85.00	40	10,500	200
Total	900		100		1,000

[1] 200 of these units at a rental not to exceed $65.
[2] 50 of these units at a rental not to exceed $80.

LIST OF DEFENSE ACTIVITIES

All Naval Installations and Naval Forces based at Newport, Rhode Island.

CRITICAL DEFENSE HOUSING AREA

City of Newport and the Towns of Middletown, Portsmouth, and Tiverton, all in Newport County.

153. Oscoda Air Force Base, Michigan.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	90	$65.00	15	$8,500	105
3 or more bedrooms	40	75.00	10	9,500	50
Total	130		25		155

LIST OF DEFENSE ACTIVITIES

Oscoda Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Townships of Au Sable and Oscoda in Iosco County.

154. Indian Head, Maryland.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms			30	$9,000	30
3 or more bedrooms			20	10,000	20
Total			50		50

LIST OF DEFENSE ACTIVITIES

U. S. Naval Powder Factory.
U. S. Naval Ordnance Laboratory and related activities.

CRITICAL DEFENSE HOUSING AREA

Charles County.

155. Gary-Hammond-East Chicago, Indiana.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	300	$60.00			300
2 bedrooms	1,800	65.00	200	$10,000	2,000
3 or more bedrooms	[1] 600	85.00	100	11,250	700
Total	2,700		300		3,000

[1] 375 of these units at a rental not to exceed $75.

American Steel Foundry (Cast Armor Plant).

LIST OF DEFENSE ACTIVITIES

U. S. Steel Company, Gary Works.
Inland Steel Company.
Youngstown Sheet and Tube.
Standard Oil Company.
General American Air Coach.
General American Transportation.
Combustion Engineering.
The Budd Company.
American Bridge Company.
U. S. Steel Company—Sheet and Tin Plant.
Cities Service Oil Company.
Sinclair Refining Company.
Standard Steel.

CRITICAL DEFENSE HOUSING AREA

All of Lake County, except the Townships of Cedar Creek, Eagle Creek, and West Creek.

156. Lawrence-Olathe, Kansas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	160	$75.00			160
3 or more bedrooms	40	85.00			40
Totals	200				200

LIST OF DEFENSE ACTIVITIES

Sunflower Ordnance Works (Hercules Powder Company and Ordnance Department, U. S. Army).
Olathe Naval Air Station.

CRITICAL DEFENSE HOUSING AREA

Douglas County, Kansas, including the Cities of Baldwin, Eudora and Lawrence; the Townships of Olathe, Monticello, Spring Hill, Gardner, McCamish and Lexington, including the Cities of DeSoto, Edgerton, Gardner, Olathe and Spring Hill, all in Johnson County, and the City of Bonner Springs, and Delaware Township, including the City of Edwardsville in Wyandotte County.

157. Laredo, Texas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	[1] 175	$70.00	35	$7,750	210
3 or more bedrooms	25	80.00	15	9,000	40
Total	200		50		250

[1] 50 of these units at a rental not to exceed $60.

LIST OF DEFENSE ACTIVITIES

Laredo Air Force Base.

CRITICAL DEFENSE HOUSING AREA

That portion of Webb County within a 10-mile radius of the Administration Building of the Laredo Air Force Base, including the City of Laredo.

158. Port Lavaca, Texas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	25	$65.00	20	$8,000	45
3 or more bedrooms			5	8,500	5
Total	25		25		50

LIST OF DEFENSE ACTIVITIES

Aluminum Company of America.
Matagorda Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Calhoun County.

NOTE: Programs numbered 159, 160, and 161 are reserved for the Yerington, Nevada, Williamsport, Pennsylvania, and New Brunswick-Perth Amboy, New Jersey, areas respectively. When programs are developed and prepared for these areas, such programs will be published in the FEDERAL REGISTER as additional new defense housing programs.

162. Bangor, Maine.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	[1] 25	$65.00			25
2 bedrooms	[2] 120	75.00	50	$9,000	170
3 or more bedrooms	30	85.00	25	10,000	55
Total	175		75		250

[1] 15 of these units at a rental not to exceed $50.
[2] 35 of these units at a rental not to exceed $60.

LIST OF DEFENSE ACTIVITIES

Dow Air Force Base.

CRITICAL DEFENSE HOUSING AREA

The cities of Bangor and Brewer, the town of Orono including the unincorporated community of Orono; also the town of Veazie, all in Penobscot County.

5 (A). Wright-Patterson Air Force Base, Dayton, Ohio.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	50	$62.50			50
2 bedrooms	300	70.00			300
3 or more bedrooms	150	80.00			150
Total	500				[1] 500

[1] This quota is in addition to the 1,000 rental units and 500 sales units authorized in Program No. 5. Also, up to 200 units of the quota authorized by Program No. 5 if recaptured by surrender or cancellation shall be reallocated for rental housing of which 10 percent shall be 1-bedroom units with rental not to exceed $62.50; 60 percent, 2-bedroom units with rental not to exceed $70 and 30 percent, 3-bedroom units with rental not to exceed $80. Program No. 5 is further amended by changing the in-migrancy date from Dec. 19, 1950, to June 15, 1950.

LIST OF DEFENSE ACTIVITIES

Wright-Patterson Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Montgomery and Greene Counties.

25 (A). Valdosta, Georgia.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	60	$60.00			60
3 or more bedrooms	40	70.00			40
Total	100				[1] 100

[1] This quota is in addition to the 300 rental units authorized by Program No. 25.

LIST OF DEFENSE ACTIVITIES

Moody Air Force Base.

CRITICAL DEFENSE HOUSING AREA

Lowndes and Lanier Counties.

32 (A). Barstow, California.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	20	$55.00			20
2 bedrooms	[1] 80	65.00	30	$8,500	110
3 or more bedrooms	[2] 45	75.00	50	9,500	95
Total	145		80		[3] 225

[1] 25 of these units to rent at not more than $60.
[2] 25 of these units to rent at not more than $60.
[3] This quota is in addition to the 200 units in Program No. 32.

LIST OF DEFENSE ACTIVITIES

Camp Irwin.
Marine Corps Supply Depot.
Atchison, Topeka & Santa Fe Railroad.

CRITICAL DEFENSE HOUSING AREA

Barstow Township and the area within the United States Marine Corps Depot Military Reservation, all in San Bernardino County.

45 (A). Camp Breckenridge, Kentucky.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom	5	$52.50			5
2 bedrooms	20	65.00			20
3 or more bedrooms					
Total	25				[1] 25

[1] This quota is in addition to the 150 rental units and 50 sales units authorized by Program No. 45.

LIST OF DEFENSE ACTIVITIES

Camp Breckenridge.

CRITICAL DEFENSE HOUSING AREA

Union and Henderson Counties.

1 (B). AEC, Savannah River Installation, South Carolina and Georgia.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms					
3 or more bedrooms					
Total			50		[1] 50

[1] This program is in addition to the rental and sales units authorized in programs numbered 1 and 1 (A) respectively.

LIST OF DEFENSE ACTIVITIES

Savannah River Plant, Atomic Energy Commission.
August Arsenal.
Camp Gordon.

CRITICAL DEFENSE HOUSING AREA

Aiken, Barnwell, and Allendale Counties, South Carolina; and Richmond County, Columbia County, McDuffie County, and District 81—Wrens (including Wrens Town) in Jefferson County in Georgia.

9 (B). Lone Star, Texas.

NEEDED DEFENSE HOUSING

Unit size	Rent		Sale		Total, rent and sale
	Number of units	Rental not to exceed	Number of units	Price not to exceed	
1 bedroom					
2 bedrooms	[1] 220	$65.00	[4] 30	$9,250	250
3 or more bedrooms	[2] 130	75.00	[5] 20	10,500	150
Total	350		50		[6] 400

[1] 70 of these units at a rental not to exceed $60.
[2] 15 of these units at a sales price not to exceed $8,500.
[3] 50 of these units at a rental not to exceed $70.
[4] 10 of these units at a sales price not to exceed $9,500.
[5] This quota is in addition to the 100 units in Program No. 9 and the 50 units in Program No. 9 (A), all of which were rental units.

LIST OF DEFENSE ACTIVITIES

Lone Star Steel Company.
Consolidated-Vultee Aircraft Corporation.

CRITICAL DEFENSE HOUSING AREA

All of Camp and Morris Counties; Precincts 1, 2, and 8, including Hughes Springs, Lindan, and Avinger, in Cass County; Precincts 1, 2, 3, and 6, including Jefferson City, in Marion County; Precincts 1, 4, 5, 6, and 7, including Mount Pleasant, in Titus County; and Precincts 2, 6, and 8, including Ore City in Upshur County.

B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

APRIL 12, 1952.

[F. R. Doc. 52-4188; Filed, Apr. 11, 1952; 9:01 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Manpower Policy No. 4, Notification 28]

PLACEMENT OF PROCUREMENT IN THE VINCENNES, INDIANA, AREA

NOTIFICATION TO DEPARTMENT OF DEFENSE AND GENERAL SERVICES ADMINISTRATION

The Surplus Manpower Committee, appointed under Defense Manpower Policy No. 4, has reported to the Director of Defense Mobilization its findings and recommendation in the matter of placement of procurement in the Vincennes area. The recommendation has been reviewed within the Office of Defense Mobilization to determine its relationship to other policies affecting procurement for which this Office has responsibility, and no conflicts exist.

The Department of Defense and the General Services Administration are hereby notified that upon full consideration, the Director of Defense Mobilization has concluded that it is in the public interest to give preference to the Vincennes area, with the exception of the textile, apparel, and shoe industries located in that area, in the placement of Government contracts, in accordance with the attached findings of the Committee and the provisions of Defense Manpower Policy No. 4. The Department of Defense and the General Services Administration are hereby requested to take the actions specified in paragraph 6 of section III of Defense Manpower Policy No. 4.

Public hearings have been held on the textile industry. Following the report of the Hearing Panel, consideration will be given to certifying this industry under the provisions of the Policy. Hearings on the apparel and shoe industries will be held shortly.

The Department of Defense and the General Services Administration are requested to submit the first written report of the actions taken under this notification on May 15, 1952, and thereafter each 30 days until further notice.

OFFICE OF DEFENSE MOBILIZATION,
JOHN R. STEELMAN,
Acting Director.

FINDINGS AND RECOMMENDATIONS OF THE SURPLUS MANPOWER COMMITTEE CONCERNING THE VINCENNES, INDIANA, AREA UNDER DEFENSE MANPOWER POLICY NO. 4

Under date of February 21, 1952, the Defense Manpower Administration of the Department of Labor certified to this Committee, under Defense Manpower Policy No. 4, the existence of the Vincennes area as a surplus labor area under standards established by the Secretary of Labor. The Vincennes area is composed of Knox County, Indiana.

On the basis of information contained in the files of the Committee and furnished by the Department of Labor relative to the manpower situation in the Vincennes area, and by the Department of Defense, the National Production Authority, and the Department of Labor relative to facilities in the Vincennes area, the Committee makes the following findings and recommendation:

FINDINGS

The Committee finds:

1. That the Vincennes area, as defined by the Defense Manpower Administration, is an area of current labor surplus, including a surplus of manpower possessing skills necessary to the fulfillment of Government contracts;

2. That there exists in the Vincennes area a comparatively small number of suitable facilities for the performance of additional Government contracts;

3. That in order to accomplish the objectives of Defense Manpower Policy No. 4, the public interest dictates the need for the negotiation of available Government contracts at reasonable prices in the Vincennes area, provided that a substantial portion of the work involved in the execution of the contracts will be performed in the Vincennes area, and provided further that contractors in the said area will be afforded the opportunity to meet prices obtainable elsewhere;

4. That no price differential for the Vincennes area is considered necessary in order to effectuate the objectives of Defense Manpower Policy No. 4, provided that the operations under the notification recommended herein will be reviewed within a reasonable period of time to determine whether the establishment of an appropriate maximum price differential is required in order to effectuate Defense Manpower Policy No. 4 for the Vincennes area;

5. That the textile, apparel, and shoe industries, to the extent that they exist in the Vincennes area, should not be included in the application of Defense Manpower Policy No. 4 in the Vincennes area; after notice to and hearing of interested parties, consid-

eration will be given to separate recommendations applying to the entire textile, apparel, and shoe industries.

RECOMMENDATION

The Committee recommends that the Director of Defense Mobilization conclude that it is in the public interest to give preference to the Vincennes area in the placement of contracts in accordance with the Committee's findings, and that the Director so notify the Secretary of Defense and the Administrator of the General Services Administration.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Chairman,
Surplus Manpower Committee.

Approved:

JOHN R. STEELMAN,
Acting Director,
Office of Defense Mobilization.

[F. R. Doc. 52-4254; Filed, Apr. 11, 1952; 10:26 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-164]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

ORDER AUTHORIZING RENEWAL OF BANK LOAN

APRIL 8, 1952.

Bartholomew A. Brickley, Trustee of International Hydro-Electric System ("IHES"), a registered holding company, having filed an application in the proceedings now pending before the Commission under section 11 (d) of the Public Utility Holding Company Act of 1935 ("the act") for the liquidation and dissolution of IHES, pursuant to the Commission's dissolution order entered on July 21, 1942, under section 11 (b) (2) of the act; which application states as follows:

That, in order to obtain part of the funds required for the discharge of the 6 percent debentures of IHES and pursuant to authorization by this Commission (Holding Company Act Release No. 9917) and by the United States District Court for the District of Massachusetts ("enforcement court"), the Trustee on July 27, 1950, borrowed $9,500,000 from The Chase National Bank of the City of New York, evidenced by a promissory note secured by lien on the major portfolio assets of IHES, due two years from said date with interest at the rate of 2¼ percent per annum; that the loan agreement required application of at least 60 percent of the net income of IHES toward satisfaction of the principal amount due; that the unpaid principal amount at March 13, 1952, was $7,000,000; that under the loan agreement the Trustee is granted an option to renew on the same terms for one additional year the amount remaining unpaid at maturity.

The Trustee further states that, as now appears, IHES will not have sufficient funds available to pay in full the unpaid principal amount of the loan on or before it matures on July 27, 1952, and he requests authorization, subject to the further approval of the enforcement court, to renew and extend for one additional year from said date the principal amount then remaining unpaid.

Due notice having been given of the filing of said application, and no hearing having been requested of or ordered by the Commission; and

The Commission finding that said application satisfies the requirements of the applicable provisions of the act and the rules and regulations thereunder; that it is not necessary to impose any terms or conditions other than as set forth below; and that it is appropriate in the public interest and in the interest of investors and consumers that the application be approved:

It is ordered, Pursuant to the applicable provisions of the act and the rules and regulations thereunder, that said application be, and the same hereby is, approved: *Provided, however*, That this order shall not be operative to authorize the consummation of the proposed transaction unless and until the enforcement court, upon application thereto, shall have entered an order approving and authorizing the same.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4157; Filed, Apr. 11, 1952; 8:50 a. m.]

[File No. 70-2716]

UNITED GAS CORP. ET AL.

ORDER REGARDING SALE OF CERTAIN GAS PROPERTIES

APRIL 8, 1952

In the matter of United Gas Corporation, United Gas Pipe Line Company, Union Producing Company; File No. 70-2716.

United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, and United's wholly owned subsidiaries, United Gas Pipe Line Company ("Pipe Line") and Union Producing Company ("Union"), having filed an application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 thereof, and Rule U-44 of the rules and regulations promulgated thereunder, with respect to the following proposed transactions:

United, Pipe Line, and Union propose to sell to Martin Wunderlich and Lee Aikin, non-affiliates, for a cash consideration of $5,000,001 certain gas distribution, pipe line, and production properties, and related facilities, together with materials and supplies, appliances, and other merchandise. The properties proposed to be sold are located in northwest Texas and southwest Oklahoma and are not connected with the remaining and principal properties of the United system.

The application-declaration states that negotiations for the sale of such properties were conducted with several prospective purchasers. The application-declaration also states that all relevant data with respect to such properties were submitted to seven prospective purchasers and such purchasers were invited to submit bids for such properties. Bids were received from three prospective purchasers, the highest of which was submitted by Wunderlich and Aikin, which was accepted by the companies.

Certain of the properties proposed to be sold are subject to the liens of United's Mortgage and Deed of Trust dated as of October 1, 1944, as supplemented, and Pipe Line's Mortgage and Deed of Trust dated as of September 25, 1944, as supplemented. The companies state that a release of these properties will be effected and the cash, if any, required to be deposited with the respective trustees will be withdrawn or applied as provided in such Mortgages and Deeds of Trust.

A further amendment having been filed herein requesting that the Commission not issue its order until further action should be taken by the purchasers in proceedings before the Federal Power Commission in connection with the proposed transfer of the properties by such purchasers to Lone Star Gas Company, and further orders entered by that Commission in connection with such applications; and

A further amendment having been filed setting forth that such further applications had been filed by the purchasers and by Lone Star Gas Company with the Federal Power Commission and that that Commission on March 27, 1952, issued its Order approving the transfer of the properties by Wunderlich and Aikin and the acquisition by Lone Star Gas Company; and

Said application-declaration having been filed on September 26, 1951, the aforesaid amendments having been filed on October 25, 1951, November 7, 1951, January 30, 1952, and April 2, 1952, notice of said filing having been given in the form and manner required by Rule U-23, the Commission not having received a request for a hearing within the time specified for said notice or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act, and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate to grant said application and permit said declaration, as amended, to become effective without the imposition of terms and conditions;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions contained in Rule U-24, that said application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4161; Filed, Apr. 11, 1952; 8:52 a. m.]

[File No. 70-2822]

UNITED GAS CORP.

ORDER REGARDING PURCHASE OF NOTES BY GAS UTILITY COMPANY FROM NON-UTILITY SUBSIDIARY

APRIL 8, 1952.

United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, having filed an application and an amendment thereto with the Commission pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9 (a) (1), 10 (a) (1), 10 (b) and 10 (c) thereof with respect to the following proposed transactions:

Atlas Processing Company ("Atlas") was organized by United and certain other non-affiliated companies to conduct operations at the Carthage Field of United in connection with the upgrading of gasoline (Holding Company Act Release No. 9563). As of December 31, 1951, Atlas had outstanding $243,273 principal amount of 4 Percent First Mortgage Notes, $550,000 principal amount of Five Year 4 Percent Second Mortgage Notes and 10,000 shares of no par value common stock. United holds a 25 percent interest in each of these securities, the remainder of the First Mortgage Notes being held by certain banks, and the remainder of the other securities being held ratably by the other interested companies.

In its process of upgrading straight run motor fuel, Atlas has found that benzene was present in the amount of 3.8 percent by volume. Atlas proposes to install a benzene extraction unit and a platform unit in its Shreveport Plant. The extraction unit which will take out approximately 400 barrels of benzene per day is estimated to cost approximately $2,500,000. The platform unit will further process the remaining raw material to restore the loss in anti-knock rating incurred by the removal of the benzene and to control the boiling range of the finished motor gasoline. It is estimated that this unit will cost $1,000,000.

Atlas proposes to finance construction of the plants through the issuance and sale of $3,500,000 principal amount of First Mortgage 4½ Percent Promissory Notes payable in equal quarter-annual installments designed to accomplish full repayment by October 1, 1957. United proposes to purchase $875,000 principal amount (25 percent) of such Notes, the remainder to be purchased by certain banks. Pursuant to an agreement to be entered into with the holders of the outstanding First Mortgage Notes, the Notes proposed to be issued and the then outstanding First Mortgage Five Year 4 Percent Promissory Notes of Atlas will be equally and ratably secured by a first mortgage on all of the present and after acquired properties of Atlas.

The outstanding Second Mortgage Notes will be expressly subordinated to the First Mortgage Notes proposed to be issued, and the maturities of such Second Mortgage Notes will be extended to a date not less than thirty days after the maturity of the First Mortgage Notes.

Said application having been filed on March 7, 1952, an amendment thereto having been filed on April 3, 1952, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for a hearing with respect to said application within the period specified, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act and that no adverse findings are necessary thereunder, and the Commission deeming it appropriate to grant said application, as amended, without the imposition of terms or conditions:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions contained in Rule U-24 that said application, as amended, be, and the same hereby is, granted, effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4156; Filed, Apr. 11, 1952; 8:50 a. m.]

[File No. 70-2840]

WORCESTER COUNTY ELECTRIC CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

APRIL 8, 1952.

Notice is hereby given that an application-declaration has been filed by this Commission by Worcester County Electric Company ("Worcester County"), a subsidiary company of New England Electric System, a registered holding company. Worcester County has designated section 6 (b) of the act and Rules U-23, U-42 (b) (2), and U-50 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Worcester County proposes to issue and sell $4,000,000 principal amount of First Mortgage Bonds, Series C, to be dated May 1, 1952 and to mature May 1, 1982. The interest rate (which will be a multiple of ⅛ of 1 percent) and the price (exclusive of accrued interest) to be paid to Worcester County (which will not be less than 100 percent nor more than 102.75 percent of the principal amount) are to be determined at competitive bidding pursuant to Rule U-50. Worcester County proposes to issue the bonds under its First Mortgage Indenture and Deed of Trust dated July 1, 1949, as amended and supplemented by a First Supplemental Indenture dated as of March 1, 1951, and a Second Supplemental Indenture dated as of May 1, 1952. Said Series C bonds will be secured equally and ratably with the presently outstanding Series A and Series B bonds on all properties now owned or hereafter acquired by Worcester County, with certain limited exceptions.

The application-declaration states that the proceeds from the sale of said Series C bonds (exclusive of accrued interest, and the expenses of issuance estimated at $60,000) will be applied by Worcester County to the payment of its unsecured promissory notes outstanding on March 26, 1952 in the aggregate amount of $3,600,000 and bearing interest at from 2¾ to 3 percent per annum, and the balance, if any, will be used to pay for capitalizable expenditures or to reimburse its treasury therefor.

Incidental services in connection with the proposed transactions will be performed at cost by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $18,000. In addition, the total estimate of $60,000 for fees and expenses in connection with the issuance and sale of said Series C bonds includes $2,500 for services rendered by independent public accountants, $3,000 for services rendered by independent engineers and $4,000 for services rendered by the Trustee under the indenture.

The application-declaration indicates that a petition will be filed with the Massachusetts Department of Public Utilities for authority to issue and sell said Series C Bonds and that no State commission, other than that Commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Worcester County requests that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than April 22, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues of fact or law, if any, proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed to: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4160; Filed, Apr. 11, 1952; 8:52 a. m.]

[File No. 70-2841]

NEW ENGLAND POWER CO.

NOTICE OF PROPOSED NOTE ISSUES

APRIL 8, 1952.

Notice is hereby given that New England Power Company ("NEPCO"), a public-utility subsidiary company of New England Electric System, a registered holding company, has filed a declaration, pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 6 (a) and 7 of the act and Rules U-23, and U-42 (b) (2) thereunder

as applicable to the proposed transactions, which are summarized as follows:

NEPCO presently has outstanding $16,000,000 principal amount of promissory notes, due June 1, 1952, issued pursuant to a bank loan agreement with five banks, namely, The First National Bank of Boston ($8,800,000), The Chase National Bank of the City of New York ($2,080,000), The Hanover Bank ($2,080,000), Irving Trust Company ($2,080,000), and The New York Trust Company ($960,000). The rate of interest to April 1, 1952, for $7,400,000 of the notes presently outstanding is 2½ percent, for $4,600,000 of such notes is 2¾ percent and for the remaining $4,000,000 of such notes is 3 percent. The bank loan agreement provides that the interest rate after April 1, 1952, to the maturity date of June 1, 1952, on all of said notes will be at the prime ninety day commercial rate generally being charged by banks in Boston on April 1, 1952, but not less than 2¾ percent per annum nor more than 3 percent per annum. NEPCO has amended its bank loan agreement which, among other things, increases the amount of permissible borrowings to $27,500,000 and extends the borrowing period to December 31, 1952.

NEPCO now proposes to issue to the above mentioned banks pursuant to the amended bank loan agreement, from time to time but not later than June 30, 1952, $20,000,000 of unsecured promissory notes maturing April 1, 1953. The proceeds to be derived from said notes will be used to pay off the $16,000,000 of presently outstanding notes, due June 1, 1952, and the balance of the proceeds, $4,000,000, will be used to pay construction expenditures. The $16,000,000 of notes proposed to be issued on or before June 1, 1952, will bear interest to October 1, 1952, at the six-month prime commercial rate generally being charged by banks in Boston on April 1, 1952, but in no event less than 3 percent per annum nor more than 3¼ percent per annum, and said notes will bear interest from October 1, 1952, to April 1, 1953, at said prime rate on October 1, 1952, but in no event less than 3 percent per annum nor more than 3½ percent per annum. The remaining notes proposed to be issued will bear interest to October 1, 1952, at the prime rate on the fifth day prior to its issue date, but in no event less than 3 percent annum nor more than 3¼ percent per annum, and will bear interest from October 1, 1952, to April 1, 1953, at the prime rate on October 1, 1952, but in no event less than 3 percent per annum nor more than 3½ percent per annum. The new bank loan agreement provides for the payment of commitment fees at the rate of ¼ percent per annum on the average daily difference between the amount of the banks' commitment and the amount borrowed under the agreement. Subject to certain restrictions, the new bank loan agreement permits prepayment of the notes, in whole or in part, without premium.

According to the declaration, NEPCO expects that, during the year 1952, the major portion of its note indebtedness will be financed permanently through the issuance of capital stock and first mortgage bonds and NEPCO has been advised by NEES that the parent company expects to have the necessary funds to invest in NEPCO's common stock from proceeds derived from the sale of additional common shares.

NEPCO further proposes that the proceeds of any permanent financing, except financing (including the assumption of indebtednes of Connecticut River Power Company) for the acquisition of properties of Connecticut River Power Company, done before the maturity of the notes proposed to be issued will be applied in reduction of, or in total payment of, notes then outstanding and the amount of authorized but unissued notes, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the time outstanding.

The declaration states that incidental services in connection with the proposed transactions will be performed at cost by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $1,500. The new bank loan agreement provides that NEPCO will reimburse The First National Bank of Boston, as Agent for the five lending banks, for out-of-pocket expenses, including counsel fees incurred in connection with the agreement, such expenses and fees being believed to be nominal. Other expenses are estimated not to exceed $100.

The New Hampshire Public Utilities Commission has approved the proposed issuance and sale of said notes and the declaration states that no State commission, other than that Commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

NEPCO requests that the Commission's order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than April 22, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason or reasons for such request and the issues of fact or law, if any, proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed to: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 52-4155; Filed, Apr. 11, 1952; 8:49 a. m.]

[File No. 70-2845]

WISCONSIN ELECTRIC POWER CO.

NOTICE OF FILING RELATING TO PROPOSED SALE OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING AND SHARES OF COMMON STOCK BY A 1 FOR 5 RIGHTS OFFERING

APRIL 8, 1952.

Notice is hereby given that a declaration and an amendment thereto have been filed with this Commission by Wisconsin Electric Power Company ("WEPCO"), a public utility company and also a registered holding company. Declarant has designated sections 6 and 7 of the act and Rule U-50 thereunder, as applicable to the proposed transactions which are summarized as follows:

WEPCO proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $12,500,000 principal amount of _____ Percent First Mortgage Bonds, Series due 1982. The invitation for bids will provide that each bid shall specify the coupon rate for the bonds, which shall be a multiple of ⅛ percent, and the price to be paid the company, exclusive of accrued interest, which price shall be not less than 100 percent nor more than 102.75 percent of the principal amount of said bonds, plus accrued interest from May 1, 1952. The company requests that the ten day period required by Rule U-50 to elapse between the time of inviting bids and the entering into of an agreement with respect to the issuance and sale of the bonds be shortened to six days.

The bonds will be issued under an Indenture, dated October 28, 1938, between WEPCO and the First Wisconsin Trust Company, as Trustee, as supplemented from time to time, the last supplement being dated June 1, 1950, and to be further supplemented by a Supplemental Indenture to be dated May 1, 1952.

Following the sale of the bonds, WEPCO proposes to offer to, and issue and sell to, the holders of its presently outstanding 3,512,426 shares of common stock, par value $10 per share, 702,486 additional shares of common stock. The right to subscribe for such additional shares will be on the basis of one additional share of common stock for each 5 shares of common stock held, and the holders who exercise their subscription right will have the privilege of subscribing, subject to allotment, for any number of additional shares not subscribed for under the subscription right. The subscription price per share will be supplied by further amendment. The right to subscribe and the additional subscription privilege are to be evidenced by transferable subscription warrants. The warrants will not entitle the holders thereof to subscribe for fractional shares but, without being required to pay any commissions, the holders may buy additional warrants sufficient to enable them to subscribe for one whole share or may sell their warrants.

The net proceeds from the sale of the bonds and the additional common stock will be used to defray in part the cost of the company's construction program,

estimated by WEPCO to require expenditures of $46,000,000 during the balance of 1952 and 1953.

WEPCO has submitted the proposed issuance and sale of bonds and common stock to the Public Service Commission of Wisconsin for its approval.

It is requested that the Commission's order herein become effective upon issuance.

Notice is further given that any interested person may, not later than April 25, 1952, request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of factor law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the declaration, as filed or as further amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4158; Filed, Apr. 11, 1952; 8:51 a. m.]

[File No. 70-2846]

CENTRAL MAINE POWER CO.

NOTICE OF FILING REQUESTING AUTHORITY TO INCREASE AUTHORIZED CAPITAL STOCK, TO AMEND BY-LAWS BY CHANGING QUORUM REQUIREMENTS AND BY PROVIDING FOR CUMULATIVE VOTING; AND SOLICITATION OF STOCKHOLDERS

APRIL 8, 1952.

Notice is hereby given, that a declaration, and an amendment thereto, have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Central Maine Power Company ("Central Maine"), a public utility subsidiary of New England Public Service Company, a registered holding company. Declarant has designated sections 6, 7, and 12 of the act and Rules U-60, U-61, U-62, and U-65 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 17, 1952, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 17, 1952, said declaration, as filed or as further amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central Maine proposes to increase the authorized capital stock of the Company by (1) increasing the number of shares of Common Stock, $10 par value, from 2,500,000 to 3,250,000 and (2) increasing the number of shares of Preferred Stock, $100 par value, from 300,000 to 330,000.

Central Maine further proposes to amend its Bylaws as follows:

(1) To change the requirement for a quorum at stockholders' meetings from a representation of one third of the total votes to which the outstanding shares of capital stock of the company of all classes are then entitled to a majority of such votes: *Provided*, That such quorum requirement shall be applicable to stockholders' meetings only when the outstanding preferred stock of all classes and series are not entitled to vote as a class for the election of a majority of the directors of the company: *And, provided further*, That at stockholders' meetings when the outstanding preferred stock of all classes and series are entitled to vote for the election of a majority of the directors, the foregoing quorum requirement shall be reduced from a majority of such total votes to one-third of such total votes;

(2) To provide for cumulative voting at elections of directors by the stockholders when and only when the preferred stocks are not entitled to vote as a class for the election of a majority of the full Board of Directors.

Central Maine proposes to solicit the holders of its 6 percent Preferred Stock and of Common Stock for proxies to be voted at the annual meeting to be held on May 14, 1952, in favor of the above proposals, and has filed the solicitation material as part of the declaration. It is stated that the adoption of the above amendments will require the affirmative vote of a majority of the total votes to which the Common Stock and 6 percent Preferred Stock then outstanding are entitled, and, in addition, with respect to the proposal relating to cumulative voting, the affirmative vote of two-thirds in interest of the company's 6 percent Preferred Stock then outstanding, voting separately as a class. It is represented that New England Public Service Company, holder of 42.3 percent of the outstanding common stock of Central Maine, will vote in favor of the adoption of such amendments.

It is represented that the company may, in addition to solicitation by mail and by regular employees or officers of the company, request banks and brokers to solicit beneficial owners, the cost of which is estimated not to exceed $100. Also, the company will employ Stockholders Relations, Inc., 2 Wall Street, New York City, at a total cost estimated not to exceed $1,000, to secure the favorable two-thirds vote of the 6 percent Preferred Stock required to amend the Bylaws as above set forth.

The declaration states that the increase in the number of shares of authorized capital stock is for the purpose of providing sufficient authorized stock for financing the company's construction program, and that stock may be issued in the early part of 1953.

It is stated that the Public Utilities Commission of Maine has no jurisdiction over the proposed transactions and that legal fees in connection with the proposed transactions will amount to approximately $100.

Declarant requests acceleration of the Commission's order herein and that it become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 52-4159; Filed, Apr. 11, 1952; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26947]

EXCEPTIONS TO CLASSIFICATION RATINGS ON CERTAIN COMMODITIES FROM SOUTHWESTERN POINTS

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariffs ICC Nos. 3987 and 3988.

Commodities involved: Exceptions to classification ratings on articles specified in exhibit 3 of the application.

From: Specified points in southwestern territory to destinations in southern and official territories and from specified points in southern territory to destinations in southwestern territory.

Grounds for relief: Competition with rail carriers, circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3988, Supp. 25; F. C. Kratzmeir, Agent, ICC No. 3987, supp. 28.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing,

upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4180; Filed, Apr. 11, 1952; 9:00 a. m.]

[4th Sec. Application 26948]

ACIDS AND ACETIC ANHYDRIDE FROM KINGS MILL, TEX., TO CELRIVER, S. C.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff ICC No. 3967.

Commodities involved: Acid, acetic, glacial or liquid and acetic anhydride, in tank-car loads.

From: Kings Mill, Tex.

To: Celriver, S. C.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3967, supp. 98.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4179; Filed, Apr. 11, 1952; 8:59 a. m.]

[4th Sec. Application 26949]

CEMENT FROM KANSAS AND OKLAHOMA TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff ICC No. 3844.

Commodities involved: Cement and related articles, in carloads.

From: Fort Scott, Fredonia, Humboldt, Independence and Iola, Kans., and Dewey, Okla.

To: Points in Florida, Georgia, South Carolina and North Carolina.

Grounds for relief: Competition with rail carriers, circuitous routes, to maintain grouping, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates:

F. C. Kratzmeir, Agent, ICC No. 3844, Supp. 18.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4178; Filed, Apr. 11, 1952; 8:59 a. m.]

[4th Sec. Application 26950]

SCRAP IRON FROM POINTS IN SOUTHERN TERRITORY TO SIDNEY, OHIO, AND MODENA (PAPERVILLE), PA.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to C. A. Spaninger's tariff ICC No. 950.

Commodities involved: Scrap iron and steel, carloads.

From: Points in southern territory.

To: Sidney, Ohio and Modena (Paperville), Pa.

Grounds for relief: Circuitous routes, to maintain grouping, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 950, Supp. 168.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4177; Filed, Apr. 11, 1952; 8:59 a. m.]

[4th Sec. Application 26951]

PHOSPHATE ROCK FROM FLORIDA MINES TO COMO AND LEXINGTON, MISS.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and Illinois Central Railroad Company.

Commodities involved: Phosphate rock, ground or not ground, slush and floats, and ammoniated, carloads.

From: Points in Florida.

To: Como and Lexington, Miss.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company, ICC No. B-3232, Supp. 57.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4176; Filed, Apr. 11, 1952; 8:58 a. m.]

[4th Sec. Application 26952]

SALT FROM DETROIT, ECORSE AND WYANDOTTE, MICH., TO CHICAGO, ILL.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for the Detroit, Toledo and Ironton Railroad Company and Erie Railroad Company.

Commodities involved: Salt, common (sodium chloride) loose or in bulk, carloads.

From: Detroit, Ecorse and Wyandotte, Mich.

To: Chicago, Ill., and points in Chicago switching district.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: L. C. Schuldt, Agent, ICC No. 4198, Supp. 24.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4175; Filed, Apr. 11, 1952; 8:58 a. m.]

[4th Sec. Application 26953]

PIG IRON FROM DAINGERFIELD AND LONE STAR, TEX., TO HALE AND SAND SPRINGS, OKLA.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff ICC No. 3960.

Commodities involved: Pig iron, in carloads.

From: Daingerfield and Lone Star, Tex.

To: Hale and Sand Springs, Okla.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeier, Agent, ICC No. 3960, supl. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4174; Filed, Apr. 11, 1952; 8:58 a. m.]

[4th Sec. Application 26954]

PHOSPHATE ROCK FROM FLORIDA MINES TO BRIDGEWATER, VA.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for Atlantic Coast Line Railroad Company, Chesapeake Western Railway and Southern Railway Company.

Commodities involved: Phosphate rock, ground or not ground, slush and floats, and ammoniated, in carloads.

From: Mines in Florida.

To: Bridgewater, Va.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company, ICC No. B-3232, supp. 57.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4173; Filed, Apr. 11, 1952; 8:57 a. m.]

[4th Sec. Application 26955]

PHOSPHATE ROCK FROM FLORIDA MINES TO HOUSTON, MISS.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and Gulf, Mobile and Ohio Railroad Company.

Commodities involved: Phosphate rock, ground or not ground, slush and floats, and soft phosphate, not acedulated or ammoniated, carloads.

From: Mines in Florida.

To: Houston, Miss.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company, ICC No. B-3232, supp. 57.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4172; Filed, Apr. 11, 1952; 8:57 a. m.]

[4th Sec. Application 26956]

SODA ASH AND CAUSTIC SODA FROM POINTS IN LOUISIANA AND TEXAS TO CENTRALIA, ILL.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariffs ICC Nos. 3967 and 3906.

Commodities involved: Soda ash and caustic soda, carloads.

From: Lake Charles and West Lake Charles, La., Corpus Christi, Houston and Velasco, Tex.

To: Centralia, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3967, Supp. 99; F. C. Kratzmeir, Agent, ICC No. 3906, Supp. 107.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4171; Filed, Apr. 11, 1952; 8:56 a. m.]

[4th Sec. Application 26957]

TIN OR TERNE PLATE AND TIN MILL BLACK PLATE FROM VARIOUS POINTS TO FARMERSVILLE, TEX.

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff ICC No. 3912.

Commodities involved: Tin plate, terne plate and tin mill black plate, carloads.

From: St. Louis, Mo., East St. Louis, Ill., and points in Illinois, Maryland, Ohio, Pennsylvania, and West Virginia.

To: Farmersville, Tex.

Grounds for relief: Competition with rail cariers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3912, Supp. 109.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4170; Filed, Apr. 11, 1952; 8:56 a. m.]

[4th Sec. Application 26958]

POTATOES FROM WESTERN POINTS TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff ICC No. 3722.

Commodities involved: Potatoes, other than sweet, carloads.

From: Points in Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, Oregon, Utah and Wyoming.

To: Points in southern territory on Louisville and Nashville Railroad Company.

Grounds for relief: Competition with rail carriers, circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, ICC No. 3722, Supp. 84.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4169; Filed, Apr. 11, 1952; 8:55 a. m.]

[4th Sec. Application 26959]

PHOSPHATE ROCK FROM FLORIDA TO POINTS IN KENTUCKY AND CINCINNATI, OHIO

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedules listed below.

Commodities involved: Phosphate rock, ground or not ground, slush and floats, and soft phosphate, not acidulated nor ammoniated, carloads.

From: Mines in Florida.

To: Cincinnati, Ohio and specified points in Kentucky.

Grounds for relief: Competition with rail carriers, circuitous routes, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Atlantic Coast Line Railroad Company tariff ICC No. B-3232, supp. 57; Seaboard Air Line Railroad Company tariff ICC No. A-8153, Supp. 54.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4168; Filed, Apr. 11, 1952; 8:55 a. m.]

[4th Sec. Application 26960]

COAL FROM WEST VIRGINIA TO ALABAMA

APPLICATION FOR RELIEF

APRIL 9, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for 4 carriers named on page 2 of application.

Commodities involved: Coal, bituminous, cannel coal, and coal briquettes, carloads.

From: Mines in West Virginia in the New River district.

To: Points in Alabama.

Grounds for relief: Circuitous routes, to maintain grouping.

Schedules filed containing proposed rates: Chesapeake and Ohio Railway Company tariff ICC No. 13007, supp. 18.

Any interested person desiring the Commission to hold a hearing upon such

application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 52-4167; Filed, Apr. 11, 1952; 8:55 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 84, Amdt. 3]

GRUEN WATCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 84 under section 43, Ceiling Price Regulation 7, established retail ceiling prices for men's and ladies' watches manufactured by The Gruen Watch Company and having the brand name "Gruen."

This amendment establishes new retail ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7. The retail ceiling prices are established by incorporating into the special order the amended application dated March 13, 1952.

Amendatory provisions. Special Order 84 under section 43 of Ceiling Price Regulation 7, is amended in the following respects:

1. In paragraph 1, insert after the date "February 18, 1952," the following date "March 13, 1952."

2. Insert following paragraph 1 now appearing in the special order the following:

The prices listed in the manufacturer's supplemental application dated March 13, 1952, shall become effective on receipt of a copy of the notice for such articles, but in no event later than May 1, 1952.

Effective date. This amendment shall become effective April 8, 1952.

ELLIS ARNALL, *Director of Price Stabilization.*

APRIL 8, 1952.

[F. R. Doc. 52-4135; Filed, Apr. 8, 1952; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 172, Amdt. 1]

SALT LAKE MATTRESS & MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 172 under section 43, Ceiling Price Regulation 7, established retail ceiling prices for mattresses and box springs manufactured by Salt Lake Mattress & Mfg. Co., and having the brand name "Serta."

This amendment establishes new retail ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7. The retail ceiling prices are established by incorporating into the special order the amended application dated March 19, 1952.

Amendatory provisions. Special Order 172 under section 43 of Ceiling Price Regulation 7 is amended in the following respects:

1. In paragraph 1, after the words "in its application dated March 17, 1951," insert the words "as supplemented and amended by its application dated March 19, 1952."

2. Insert following paragraph 1 now appearing in the special order the following:

The prices listed in the manufacturer's supplemental application dated March 19, 1952, shall become effective on receipt of a copy of the notice for such articles, but in no event later than May 1, 1952.

Effective date. This amendment shall become effective April 8, 1952.

ELLIS ARNALL, *Director of Price Stabilization.*

APRIL 8, 1952.

[F. R. Doc. 52-4136; Filed, Apr. 8, 1952; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 543, Amdt. 1]

H. T. CUSHMAN MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 543 under section 43 of Ceiling Price Regulation 7, issued to H. T. Cushman Mfg. Co., established ceiling prices at retail for maple colonial furniture having the brand names "A Genuine Cushman Colonial Creation," "Cushman Colonial Creation," and "Cushman."

H. T. Cushman Mfg. Co. has applied to the Office of Price Stabilization for the exclusion of certain western and southern states from the operation of the special order. The applicant points out that the original application for a special order omitted to state that a percentage of the applicant's sales were made in the western and southern states and that the articles covered by the special order were not sold at uniform retail prices in those states, due to the higher cost of transportation to the western states.

The exclusion of a limited area from the operation of a special order conforms with the provisions of section 43, Ceiling Price Regulation 7.

Amendatory provisions. Special Order 543 under section 43, Ceiling Price Regulation 7 is amended as follows:

1. Delete paragraph 7 and substitute therefor the following:

7. *Applicability.* The provisions of this special order are applicable in the District of Columbia and the following states:

Alabama	New Jersey
Connecticut	New York
Delaware	North Carolina
Florida	South Carolina
Georgia	Ohio
Illinois	Pennsylvania
Indiana	Rhode Island
Kentucky	Tennessee
Maine	Vermont
Maryland	Virginia
Massachusetts	West Virginia
Michigan	Wisconsin
Mississippi	District of Columbia
New Hampshire	

Effective date: This amendment shall become effective April 8, 1952.

ELLIS ARNALL, *Director of Price Stabilization.*

APRIL 8, 1952.

[F. R. Doc. 52-4137; Filed, Apr. 8, 1952; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 647, Amdt. 1]

CASCO PRODUCTS CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. Special Order 647 under section 43, Ceiling Price Regulation 7, established retail and wholesale ceiling prices for electric heating pads, manufactured by Casco Products Corporation, and having the brand name "Casco."

This amendment establishes new retail and wholesale ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7. The retail and wholesale ceiling prices are established by incorporating into the special order the amended application dated March 25, 1952.

Amendatory provisions. Special Order 647 under section 43 of Ceiling Price Regulation 7 is amended in the following respects:

1. In paragraph 1, after the words "in its application dated August 29, 1951", insert the words "as suplemented and amended by its application dated March 25, 1952."

2. Insert following paragraph 1 now appearing in the special order the following:

The prices listed in the manufacturer's supplemental application dated March 25, 1952, shall become effective on receipt of a copy of the notice for such articles, but in no event later than May 2, 1952.

Effective date. This amendment shall become effective April 8, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 8, 1952.

[F. R. Doc. 52-4138; Filed, Apr. 8, 1952; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 752, Amdt. 2]

RADIO CORPORATION OF AMERICA, RCA VICTOR DIVISION

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 752 under section 43, Ceiling Price Regulation 7, established retail ceiling prices for television receivers, radios and record playing equipment manufactured by Radio Corporation of America RCA Victor Division, and having the brand name "RCA Victor".

This amendment establishes new retail ceiling prices for certain of the applicant's branded articles. It appears that the ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 752 under section 43, Ceiling Price Regulation 7, is amended in the following respects:

1. In paragraph 1 (b), insert after the date "December 20, 1951" the following date "March 19, 1952."

2. In paragraph 1 (b), opposite the model number PX600, in the column headed Zone 2, Ceiling Prices at Retail, delete the figure "39.50" and substitute therefor the figure "$41.50."

Effective date. This amendment shall become effective April 8, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 8, 1952.

[F. R. Doc. 52-4139; Filed, Apr. 8, 1952; 4:30 p. m.]

[Delegation of Authority 61]

DIRECTORS OF REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER CPR 134—CEILING PRICES FOR EATING AND DRINKING ESTABLISHMENTS

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803; 65 Stat. 131), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2, as amended (16 F. R. 738, 11626) this delegation of authority 61 is hereby issued.

1. Authority is hereby delegated to the Directors of the Regional Offices, Office of Price Stabilization, to act under sections 4 (a) (d), 6 (c), 6 (d), 7 (c), 9 (b) (3), 10, 14 (e), and 16 (b) of CPR 134.

2. The authority hereby delegated may be redelegated to the Directors of District Offices, Office of Price Stabilization.

This delegation of authority shall take effect on April 12, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4259; Filed, Apr. 11, 1952; 11:47 a. m.]

[Delegation of Authority 62]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT ON FINAL PRICING METHOD AND ADJUSTMENT PROVISIONS OF CPR 13

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended (64 Stat. 798, 803, 65 Stat. 131) Executive Order 10161 (15 F. R. 6105), and by Economic Stabilization Agency General Order No. 2 as amended (16 F. R. 738, 11626), this Delegation of Authority is hereby issued.

1. Authority is hereby delegated to each Regional Director of the Office of Price Stabilization

(a) to request of any seller of petroleum products who is covered by Ceiling Price Regulation 13 further information regarding such seller's filing of a price under the provisions of sections 13 and 18 of Ceiling Price Regulation 13, or regarding his application for adjustment under the provisions of Sections 16 and 17 of Ceiling Price Regulation 13;

(b) to grant, revise or deny applications for adjustment made under the provisions of Sections 16 and 17 of Ceiling Price Regulation 13;

(c) to approve, disapprove or revise ceiling prices determined under the provisions of sections 13 and 18 of Ceiling Price Regulation 13.

2. The authority delegated by this Delegation of Authority may be redelegated to the District Directors of the Office of Price Stabilization.

This delegation shall take effect on April 12, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

APRIL 11, 1952.

[F. R. Doc. 52-4268; Filed, Apr. 11, 1952; 11:47 a. m.]